S. Hrg. 99-248

GRASSHOPPER AND MORMON CRICKET CONTROL

HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED
WATER AND RESOURCE CONSERVATION

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON

S. 1528

A BILL TO PROVIDE FOR THE EXPENDITURE OR TRANSFER OF FUNDS BY THE SECRETARY OF THE INTERIOR AND THE SECRETARY OF AGRICULTURE FOR THE EMERGENCY PREVENTION, SUPPRESSION, CONTROL, OR ERADICATION OF GRASSHOPPERS OR MORMON CRICKETS ON PUBLIC LANDS

TWIN FALLS, ID, AUGUST 7, 1985

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GRASSHOPPER AND MORMON CRICKET CONTROL

WEDNESDAY, AUGUST 7, 1985

U.S. SENATE, SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION, COMMITTEE ON ENERGY AND NATURAL RESOURCES,

Twin Falls, ID.

The subcommittee met, pursuant to notice, at 10 a.m., at the College of Southern Idaho, Twin Falls, ID, Hon. James A. McClure (chairman) presiding.

Present: Senator McClure.

Also present: Tony Bevinetto, professional staff member.

OPENING STATEMENT OF HON. JAMES A. McCLURE, A U.S. SENATOR FROM THE STATE OF IDAHO

The CHAIRMAN. Good morning. Our opportunity to come back to Idaho and meet with folks in Idaho is too often focused around problems, not happier discussions we might have. So it is, this morning, a mixed pleasure to be back in Idaho and talking to Idahoans. And again, the problem with dealing with unhappy subjects, because we are talking about the issues which face the owners and operators in private and public farmlands and rangelands.

I've been working on legislation to address some of our rangeland problems which may come to fruition next month and will be the subject of other hearings. But today I want to hear your views on an issue that is of great importance to Idaho and other States in the West that are suffering severe damage to their farmlands and rangelands.

The cause of this damage is, of course, grasshoppers and Mormon crickets, insects that breed on large tracts of federally owned land and swarm onto State and private lands. The damage these insects cause is substantial. Some farmers lost up to 20 feet of cropland a day as grasshoppers stripped any plants in their path.

A review of current system of pest control on Federal lands and its effectiveness in recent years clearly indicates why we must streamline the ability to take quick action against a potential invasion in the future.

In 1984, the Animal and Plant Health Inspection Service [APHIS] spent $585,000 to treat grasshopper outbreaks on approximately 70,000 acres of public lands in the West that are administered by the BLM. So far this year they have spent $29 million and expect that figure to go even higher before the spray program is completed. APHIS has treated 5 million acres of infested land in the fight to control this year's grasshopper outbreak.

Forecasts for next year are already being made. APHIS expects another outbreak next year if weather conditions remain favorable. The Federal Government, the landowner of 65 percent of the State of Idaho, must have in place a program with adequate funding to control outbreaks on Federal lands.

Grasshopper infestations cause severe economic damage to western crops and rangelands. APHIS is responsible for both managing and funding grasshopper spray programs designed to control the number of grasshoppers on Federal, State, and private rangelands.

The farmers in Idaho cannot stand another year like this year. They must have relief. Adequate funding must be provided, not just at the last minute, but every year, to maintain an effective program. Adequate funding is also necessary to keep the personnel trained and the extension agents in the counties aware of how the control program is to be run. As the landlord of millions of acres of land in the West, it is the Federal Government's responsibility to set up a program which will prevent widespread damage in a timely manner.

If APHIS had taken timely, adequate measures last summer, Idaho and several other Western States would not have suffered the losses they suffered this year. Last year, the Federal Government was penny-wise and pound-foolish. If $10 million had been spent last year to combat grasshoppers, as I requested from the Secretary, the Federal Government would not have had to spend $30 million this year. If the grasshoppers had been killed in 1984, they would not have laid their eggs and multiplied this summer, creating the worst grasshopper infestation Idaho has seen in 30 years.

S. 1528 will provide for a Grasshopper Control Program on all Federal lands. The program will be controlled by APHIS, but with funding for the control program on BLM acreages coming directly from the BLM. BLM manages the majority of the lands which were sprayed, both in Idaho and in other Western States. In Idaho, a total of 6.3 million acres were sprayed in 1985. BLM manages 4.75 of the 6.3 million acres. The State of Idaho manages three-tenths of 1 million, private owership is 1 million and other entities such as the Bureau of Indian Affairs and the Department of Defense manage the remaining 0.25 million. Clearly the majority of the land is managed by BLM, and it's time they began carrying their fair share of the financial burden.

To provide sufficient funding, this bill allows the Secretary of the Interior to transfer funding from any program within the Department of the Interior to be used for the Grasshopper Control Program until the Department can request funding on an appropriation bill. This will allow the Department to have a program ready at any time; lack of funding will no longer be an excuse for not controlling grasshoppers. Under this bill, the Secretary of Agriculture shall treat Federal, State, or private lands which are infested by grasshoppers at significant levels of economic infestation. There will no longer be an excuse to wait until funds are arranged, the Secretary must activate the program. The Government must be a good neighbor and manage its lands, as any private landowner must, without endangering its neighbors.

I would place a copy of the bill in the hearing record.

Let's turn for a moment to the mechanics of this hearing. I'd like to hear your views on how to improve this program, how to make the delivery system work to get timely action on the ground. Your views are important.

The Public Lands, Reserved Water and Resource Conservation Subcommittee will print the proceedings of this hearing and will send you a copy if you put your name and addess on a label at the table in the lobby.

I would ask a favor that witnesses summarize the written testimony and limit your oral statements to 5 minutes, if you can. This will allow everyone to testify and make comments and be available for questions in the time available. The lights are just like traffic signals. And I don't run this traffic signal, Tony does. The yellow means 1 minute remaining. Red shows that time has expired. So if you'll watch the lights, you'll know where you are.

Witnesses will be called to the table in panels. I would ask that the next panel form in the seats shown as reserved here in the front. This allows for quick changes of panels and more time for testimony. If you need a copy of the witness list, please identify yourself and the staff will get you a copy. Just hold up your hand, Orri and—how many people need copies of the witness list? OK. Just keep your hand up until Orri's gotten around to you. Please hold onto your testimony until called to the witness table.

The hearing record will remain open for 2 weeks, if you wish to provide additional testimony. Or if someone you know cannot be here today and wants to testify, they can send a copy of their testimony to any of my field offices here in Idaho or to the subcommittee office in Washington, DC.

With that, I'll call the first panel. Edith Guisto, Dick Rush, and Frank Myers. Take your seats up here at the table.

Edith, if you'd lead off, please.

[The text of S. 1528 follows:]

II

99TH CONGRESS
1ST SESSION

S. 1528

To provide for the expenditure or transfer of funds by the Secretary of the Interior and the Secretary of Agriculture for the emergency prevention, suppression, control, or eradication of grasshoppers or Mormon crickets on public lands.

IN THE SENATE OF THE UNITED STATES

JULY 30 (legislative day, JULY 16), 1985

Mr. MCCLURE (for himself, Mr. GARN, Mr. WALLOP, Mr. SYMMS, Mr. ANDREWS, Mr. BAUCUS, Mr. SIMPSON, and Mr. ABDNOR) introduced the following bill; which was read twice and ordered referred jointly to the Committees on Energy and Natural Resources and Agriculture, Nutrition, and Forestry

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A BILL

To provide for the expenditure or transfer of funds by the Secretary of the Interior and the Secretary of Agriculture for the emergency prevention, suppression, control, or eradication of grasshoppers or Mormon crickets on public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AUTHORIZATION FOR THE EXPENDITURE AND REPLENISHMENT OF FUNDS

SECTION 1. The Secretary of Agriculture shall undertake a program to control grasshoppers and Mormon crickets on all Federal lands.

SEC. 2. (a) Subject to the provisions of subsection (b), the Secretary of Agriculture is authorized to expend or transfer, and the Secretary of the Interior is authorized to transfer to the Secretary of Agriculture, funds from any no year appropriations for the prevention, suppression, control, or eradication of grasshopper and Mormon cricket outbreaks on or threatening lands under the jurisdiction of the Federal Government: *Provided,* That the Secretary of Agriculture may not transfer any funds from other programs within the Animal and Plant Health Inspection Service.

(b)(1) Appropriations made available to the Secretary of the Interior shall be available for the payment of obligations incurred on Federal lands subject to the jurisdiction of the Secretary of the Interior during the preceding fiscal year.

(2) Funds transferred pursuant to this section shall be replenished by a supplemental appropriation which shall be requested as promptly as possible.

(3) From any no year appropriations made available to the Department of the Interior, moneys shall be made available for transfer by the Department of the Interior to the

Department of Agriculture for the prevention, suppression, control, or eradication of grasshoppers and Mormon cricket outbreaks only on Federal lands under the jurisdiction of the Department of the Interior.

GRASSHOPPER AND MORMON CRICKET PROGRAM ADMINISTRATION

SEC. 3. Upon request of the administering agency or a landowner or his agent, the Secretary of Agriculture shall treat Federal, State, or private lands which are infested by grasshoppers or Mormon crickets at levels of economic infestation of eight grasshoppers or more per square yard, regardless of age. The Secretary of Agriculture shall pay out of appropriations made to the Secretary, or transferred to him by the Secretary of the Interior, 100 per centum of grasshopper or Mormon cricket control on Federal lands, 50 per centum on State lands and 33.3 per centum on intermingled lands, and shall participate in prevention, control, or eradication programs of grasshoppers, Mormon crickets in conjunction with other Federal, State, and private prevention, control, or eradication efforts.

GRASSHOPPER AND MORMON CRICKET CONTROL PROGRAM MAINTENANCE

SEC. 4. From appropriations made available or transferred by the Secretary of the Interior to the Department of Agriculture for such purposes, the Secretary of Agriculture shall provide adequate funding under the rangeland pest control program for a program to train personnel to effectively accomplish the objectives of this Act.

○

STATEMENT OF HON. LARRY CRAIG, A U.S. REPRESENTATIVE FROM THE STATE OF IDAHO, AS PRESENTED BY EDITH GUISTO

Ms. GUISTO. My name is Missy Guisto, and I'm testifying for Congressman Craig today since he's in Lewiston holding town meetings.

For the past 2 years, Idaho has made a last-minute appeal to Washington for funds to spray grasshoppers that were decimating farmlands.

This is why Congressman Craig has worked with Senator McClure to introduce the companion legislation in the House.

On July 31, 1985, Congressman Craig introduced a bill to provide for the expenditure or transfer of funds by the Secretary of the Interior and the Secretary of Agriculture for the emergency prevention, suppression, control, and eradication of grasshoppers or Mormon crickets on public lands.

In introducing this important piece of legislation, the Congressman made a speech on the House floor. And at this point, I'd like to read that to you.

> Mr. Speaker, as many of you have heard over the past several months, millions of grasshoppers and crickets have ravaged federal rangelands of the west and have destroyed millions of dollars of private croplands. Today I'm introducing legislation to protect Western states and Midwestern states from these crop damaging pests. My bill would provide for the expenditure or transfer of funds by the Secretary of the Interior to the Secretary of Agriculture for the emergency prevention, suppression, control or eradication of the grasshoppers or crickets on public lands.
>
> In the past, emergency measures have been taken but only to come up with too little, too late for many farmers and ranchers who have been economically devastated. This bill would make available to the Secretary of the Interior funds for obligations incurred on federal land subject to the justification of the Secretary of the Interior during the preceding fiscal year.
>
> This is not a government program, but merely asks that the government be responsible neighbors on these areas where public and private lands adjoin. In 1985 alone, over 6 million acres were sprayed in my home state of Idaho. And yet, crop losses will still range in the millions due to the lack of an adequate system of pest control on public rangeland.
>
> Colleagues of the House, join me in sponsoring this legislation to see that the federal government fulfills its responsibilities of a landowner and help rid American farmers and ranchers of these devastating losses.

I want to stress the importance of this bill because it does make some pretty radical changes on funding, which has not been done before. Thank you.

The CHAIRMAN. Thank you very much.

Dick Rush.

STATEMENT OF DICK RUSH, DIRECTOR, IDAHO DEPARTMENT OF AGRICULTURE, BOISE, ID

Mr. RUSH. Thank you, Senator McClure. Pleasure to be here, appreciate you holding the hearings here. I think it's an excellent way to start planning for next year.

Director Myers and distinguished Representatives and Senators, members of the many grasshopper committees around, I am also, besides representing the Idaho Department of Agriculture today, representing Governor Evans. As you know, he has a town full of Governors and was unable to be here today. But he asked me to make sure and report back to him as to what happened today.

I appreciate the efforts of Senator McClure to start right now making funds available for next year. I see some familiar faces in the audience, and we will have, I'm sure, some testimony on some of the problems that we had this year because of a lack of funding early on. So I think this is an excellent forum.

I'd like to state that the interest of the Idaho Department of Agriculture in this hearing, in this whole activity, is that in State government our department is the one that is assigned the responsibility of signing agreements with USDA, and particularly in this case APHIS. So as a State agency we get involved in these programs in a contractual way.

I think it's important for people to know some additional means that are also being planned as a followup to this one. I'm sure there's many more than these, but this is what our department is involved in. On August 13, the Western Association of Directors of Agriculture will meet with the APHIS Director Hawkins to discuss this very issue with a panel discussion, and I'm interested to get feedback of all those States.

August 27, the Idaho bee industry will meet with the Department of Agriculture in Boise with representatives of the chemical industry applicators, farmers, and others to discuss problems they have with this type of spray program.

On August 28, the Governor's task force will be held in Boise. Then we have had discussions with APHIS about a western regional APHIS meeting here in Idaho probably sometime this fall.

So I think this planning process is well underway, and I hope it means that we don't have the problems we had in prior years.

I'd also like to take the opportunity to thank many of the people I see in this audience who served on the grasshopper committees around the State, put in untold numbers of hours in an effort to try and make the program happen.

As a point of information, we estimate that the State's share of this cost will be about $700,000, which compared to the Federal amount is insignificant. But in the State of Idaho, that's an extremely significant number in State finances. That includes, as the Senator said, almost 329,000 acres of State land that was sprayed as part of this program. And again, we're looking at over 6 million acres, so it's a smaller portion of it. The cost to the State of just spraying State lands to date is a little over $360,000. The remainder is the cost-share program on private lands.

The other thing that I think is important for us to realize and understand when we're here in Idaho particularly, Mr. Director, is the State of Idaho is somewhat different that other States. This Spray Program has been meant to be a Rangeland Program. Idaho is unique—and I hope you'll have a chance to look around the area, because we have very high productivity farmlands interspersed in this BLM area—and so not only do we get damage in our range areas, but we have an extreme possibility, and in fact had severe damage, in our croplands this year.

We have a number of people here that I think can outline better than I as to some of the problems that we went through this year. But very, very briefly, it was a late decision by the Federal Government in funding. Our Governor's task force here in Idaho, I know—many of the people in this room are on that task force—spent a whole day planning a statewide program using only State and private money because this was in April, as a matter of fact, because we didn't have any evidence that there would be Federal funds available. Again the State and private acreage is a very small part of those.

As a result of that, we had extreme problems with equipment, with chemical shortages, and so forth. There was a lack of personnel. And the other thing that worried us very much is there is a much greater possibility of accidents or environmental problems when we have very short time periods for good planning.

There were some other problems this year that were less publicized that I think we need to speak to that aren't covered in this bill. One is the problems with Idaho's bee industry. We have a very viable honey bee industry, as well as a very important leaf cutter bee industry for pollination of major Idaho seed crops. The beekeeper is caught in the middle of the program, and almost anything we do in this large of an operation is going to incur losses in that industry.

I think somehow we need to take that into account. We don't want to assist one part of Idaho agriculture at a time, sustaining large losses in some other part of Idaho agriculture. I know our department sent out over 1,500 letters of notification and that there were still large losses in that industry because bees are not all that easy to move. And it's an issue that needs to be looked at.

Some specific issues that I'd like to comment on the bill. And again, I've had a very short time to look at it. I think the idea of a bill is tremendous, and appreciate it to be able to discuss it today. One of the things that bothers me is that it calls for a transfer of funds from the Interior to the Department of Agriculture. Concerning this year, the Secretary of Agriculture had the ability to transfer funds within the Department of Agriculture. It seems that it could be possible by adding another level of bureaucracy where we have to go one more step to get funds. And I would hope that that would not hold the project or program down as far as just getting that paperwork established.

I think all of us would like to see an establishment of a permanent ongoing Grasshopper Control Program. I think the bill speaks to that. I think all of us would like also to see some line item appropriations so that we know there are some funds there and that we don't have to deal with all the bureaucracies involved to get the fund that's available.

There's some other specific parts of the bill that I'm sure are going to involve the State of Idaho as the fiscal partner in this program. What the Federal Government does affects the State because all the funds are based on a cost-share program. I notice that there are no acreage limits mentioned in it. The bill says that we shall spary upon request. I'm concened that we could have very small acreage that legally we might have to spray. But I think that's just a technicality that certainly can be worked out and certainly doesn't hurt the bill any.

There was a comment on age limit of grasshoppers. The entomologists tell us after grasshoppers reach full maturity, the control methods probably aren't too effective. So if we run into a situation where we have very mature grasshoppers, I don't know if it would be a very good use of funds to spray at that time. What we're trying to talk about is getting sprayed before that point. But if it happens, we might want to hang on to our money in that case.

I think that I'd like to see some comment about additional research in grasshopper control. There's some promising biological control methods of grasshoppers, and there's also some very good chemicals coming on the market that are not registered. Our department gets involved with EPA in registration of those chemicals, and we're certainly going to take a look at them. But we had comments on several promising chemicals that are less harmful to bees, do a better job on grasshoppers, and it might be something that we could consider in this bill or some other legislation.

And lastly, I think there should be some provision in this for the beneficial pollinating insects in the State to have some kind of a reimbursement program or some other type of fund to assist that small, but very important, part of our industry.

Thank you very much, Senator.

The CHAIRMAN. Thank you, Dick.

Mr. RUSH. Good day.

The CHAIRMAN. You reminded me of something that I should have said at the outset. I thank all of you for being here. I know this is a busy time of year for people in agriculture. It's difficult to get anyone here. But it's also the only time that we can hold field hearings in time to have any legislation passed this year. So I do doubly appreciate the effort the members of the audience and those that will testify have made in being here.

We'll next hear from Mr. Frank Myers who is with APHIS from Sacramento.

Mr. Myers.

STATEMENT OF FRANKLIN D. MYERS, DIRECTOR, WESTERN REGION, PLANT PROTECTION AND QUARANTINE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY ROGER POLLARD

Mr. MYERS. Thank you, Senator. I am the regional director with the Animal and Plant Health Inspection Service in Sacramento, responsible for the Grasshopper Program in the Western region. I have also with me Mr. Roger Pollard who is not listed as a witness. He's going to keep me out of trouble from a technical standpoint.

Mr. Chairman, it's a pleasure for me to appear before you today and to provide a status report on the current Grasshopper Program in Idaho, as well as I'd like to discuss some of the difficulties that we have had with the Grasshopper Program in the other Western States as well as the State of Idaho.

We share the concern you and your colleagues have shown for ranchers and farmers who have faced the worse grasshopper outbreak in 50 years. The fall 1984 adult grasshopper survey conducted by APHIS showed that 1985 had the potential for severe problems on rangeland in 17 Western States. We projected that 9.4 million acres would require treatment.

Accordingly, in March 1985, we sent prospectuses to aerial contractors to determine the availability of aircraft should a program be conducted. In April 1985, we issued a contract with American

Cyanamid for up to 553,000 gallons of malathion, which would have been sufficient to treat close to 9 million acres.

Although we had developed plans to deal with the threat, other factors increased the severity of the problem. An early warm, dry spring in all the Northern States affected by grasshoppers resulted in an early hatch with none of the natural kill that is normally associated with spring rains and cooler weather. Slight variations in temperatures caused sporadic hatching over a longer period of time. In some areas, the age of the grasshoppers ranged from newly hatched to adult, making it extremely difficult to target an optimum time for treatment. These weather conditions have increased the total number of acres that will be treated from the originally projected 9.4 million to approximately 13.5 million acres in the 17 Western States.

Idaho alone, 6.3 million, or close to 6.4 million, acres will have been treated utilizing 31 separate aerial spray contracts. The treatment of 13.5 million acres required the services of 54 plant protection and quarantine employees. Twenty-three of these were permanent full-time personnel and two were located in Idaho. The remainder of these folks were seasonal employees.

The unusually severe population explosion also increased our need for aircraft and malathion. Instead of the 553,000 gallons of malathion contracted for, before the program was over we will have used in excess of 700,000 gallons of malathion in addition to the carbaryl that we have used as well. Despite some minor production problems, American Cyanamid has done an outstanding job of providing chemicals to meet our unexpected emergency needs.

Effective treatment of large blocks of acreage can best be achieved by using large, category A aircraft. These aircraft are no longer being built for aerial spray purposes. In recent years we have not had a need, on a continuing basis, for large-scale spray operations requiring category A-type aircraft. As a result, the large planes that are available are older. Most of them are World War II vintage aircraft and experienced some mechanical problems, and there are not many trained pilots to operate them. I think that was obvious from some of the problems that we had. One aircraft went down in Idaho; I believe we had two minor incidents in North or South Dakota. These have caused some operational problems with the program. Nonetheless, contractors have responded to our needs and it has been excellent.

In any program of this magnitude, there are bound to be some problems, and Idaho, with 6.4 million acres treated, has experienced its share of the problem. The unusual weather conditions complicated many aspects of the program from population levels to pesticide supply. In spite of these difficulties, contractors and local and Federal representatives cooperated closely to carry out what we believe has been an effective program.

This concludes my prepared statement, and I'd be happy to answer any questions.

The CHAIRMAN. Thank you very much. And I might just address these questions primarily to you, Mr. Myers, and to respond partly to what Dick Rush has said.

The reason the bill has in it the provision for transfer of funds from the Department of the Interior to the Department of Agriculture is a recognition that APHIS is located within the Department of Agriculture, and yet they have the statutory authority for the suppression of infestations. And we either set up a new agency within the Department of the Interior, or we continue to have APHIS do it. And after talking to a number of people within the administration, both in Interior and Agriculture, it was our conclusion that it was better to leave all of the responsibility with APHIS, but make sure they had enough money.

Now that does require a transfer from the Department of the Interior for BLM lands. Again because there may be some institutional problem, the Department of Agriculture providing the money to spray the Department of the Interior lands.

I know that seems incredible to taxpayers, but you do get compartmentalized a little in Washington, DC.

And do you foresee any difficulty, Mr. Myers, in that kind of an arrangement in which BLM decides what should be sprayed, they ask you to take care of the problem but they provide the funds by transfer?

Mr. Myers. I don't believe there would be a problem with it, Senator, provided that it was based on—let me back up.

We do a fall adult survey which gives us an indication, as I indicated here, of the grasshopper population that we can expect in the spring. If we were to have the funds made available to us, or maybe at least we would know that those funds would be available to us early in the year as a result maybe of the adult grasshopper survey—although there are many things that impact upon the adult survey. The weather conditions and everything else, it could change it dramatically. But at least if there was some indication that as a result of the fall survey there would be funds made available for the spring program on the basis of our best estimate, then I think it could work in that case.

The Chairman. What we're really trying to do is to make funds available for a very unpredictable condition. You can't predict it a year in advance exactly how much money you're going to need, so we don't tend to appropriate to an account of that nature. I think we impose a difficulty upon the State in the same regard because we can't predict what the demands on the State budget might be.

But we do have an analogy upon which we can draw, and have drawn, and that is in fire suppression. We do not appropriate that money in advance. We appropriate for personnel and the base organization. But the amount of money that is spent depends upon how many fires there are. When the fires break out, we fight the fire. And when the fire is over, we pay the bill.

And it seems to me that that analogy and the lack of predictability about how much may be needed is perhaps appropriate here where we simply don't know what the outbreak will be, nor what its dimensions will be.

Mr. Myers. Yes; and I would agree with that, Senator. I believe that that in that concept can work. The concern that I was voicing is that we not be in a position in the springtime of merely saying, "Does BLM have the funds to cover it the same as we've dealt with in the past, or does APHIS have the funds to cover it?" If it was made known up front, I think it could work very easily.

The CHAIRMAN. What we have done in this instance, as we did in fire, we give them transfer authority so they can use any unexpended funds that they have available within the Department, and with the expectation, the assurance, that when the bill is presented to the Congress, the Congress will include it in the next appropriations bill to replenish the funds from which the money was taken by transfer. Now that seems to work in fires, and that's a much larger dollar item than is the suppression.

I realize the State doesn't have exactly the same flexibility or the same assurance of a midsummer session of the State legislature, and God protect us against that, by which they can replenish the funds. But somehow we can make some arrangements at the Federal level which will make certain there's enough money there.

And I would invite the State legislature to look at that as well in the Governor's office to see how we deal with the question of fighting fires. We have the same problem there. And you appropriate money in advance, and some years it's too much and some years it's not enough.

And, Mr. Myers, do you have any problem with having a sufficient number of trained, qualified people to do the surveys in the fall?

Mr. MYERS. Well, I guess I'd have to defer somewhat to Roger on the last part of this. I believe that we have sufficient people to do the fall survey. It's the spring survey time when the crunch comes down that we may not have enough people to do the job.

The CHAIRMAN. Is there a possibility of using personnel in the county agent's office to do that?

Mr. MYERS. Yes; if there are——

The CHAIRMAN. That's the time you really need cite specific counts, don't you?

Mr. MYERS. Yes; that's the time we need that on-site assistance from the country agent. I believe those are the people that can provide us with the best intelligence that we have.

The CHAIRMAN. And you don't intend to and don't plan to increase your personnel to a level capable of doing that same type of job?

Mr. MYERS. I think it would be very hard to do that. We have had several discussions about how we might hire a staff that would work only a few months out of the year but still have the level of expertise that we would like to have to carry out the surveys. Or, and in addition to that, to help us with the control programs. When you're dealing with 31 spray blocks, you need those trained people at that time also. And I would certainly like to have those personnel available. It's matter of how you logistically could work out the details of doing it.

The CHAIRMAN. Well, we hire smoke jumpers on a seasonal basis, maybe we can get grasshopper squashers on a seasonal basis.

Mr. MYERS. This is something that Roger and I were just exploring this morning is some way that we can go about doing this. Maybe people that have jobs during the wintertime and do not have during the summer, that might be biologically backgrounded individuals, could help us run the program.

The CHAIRMAN. Well, thank you all very much for your testimony. And I know of Congressman Craig's interest. Of course, I have been working with him and others continuously on this problem. Senator Symms has, as I think many of you know, had an illness in the family. I think if it had not been for that illness, he would have been here today, because I know of his interest as well. And Congressman Stallings, of course, has also cooperated in this effort. Thank you very, very much, all of you.

Next call on the State legislative panel: Laird Noh, Noy Brackett, Frances Field, and Lynn Tominaga.

Apparently a couple of our legislators have not been able to get here as yet. We'll hear from them when they arrive.

Laird, would you like to lead off, please?

STATEMENT OF IDAHO STATE SENATOR LAIRD NOH

Mr. Noh. My name is Laird Noh; address is route 1 box 65, Kimberly, ID 83341. I serve as chairman of the State senate committee on resource and environment and as a member of the grasshopper task force this past year.

And like others, I want to commend Senator McClure for taking the lead in these hearings which should help to distill the advice and counsel of the many parties involved in what was indeed a monumental effort building toward an improved system of hopper management. I feel very comfortable that with your many years of experience in the politics of natural resource management you will serve us all very well. And you probably don't need much advice and counsel, but you always seek it.

My perspective is that of a State legislator and task force member, but also as one with BLM winter ranges and private farmlands which were heavily infested and also very effectively controlled by the program. And thus, I would like to offer a few points for your consideration.

First, as in almost all resource management programs, the key element is to insure professionally qualified and experienced individuals are in control and insulated as much as possible from the pressures of uninformed gross politics. I certainly think you're wise to leave APHIS as the lead agency in this regard.

Second, I think the APHIS-Agricultural Extension Agent team is excellent, at least they were excellent in this instance. The extension agents know the lands, the people, and they possess the scientific training to understand and communicate well with all of the diverse affected parties.

Third, the direct involvement on a day-to-day basis of the directors of the State department of agriculture and their staffs is necessary and useful. The daily conference calls initiated by someone which involved State and Federal personnel and the staffs of the congressional delegations were very helpful.

Fourth, the system, of course, you intend that just to concentrate on monitoring and predicting outbreaks. Those responsible for the ongoing monitoring should have sufficient clout to insure that their recommendations will in fact in action and planning for dealing with potential future trouble areas.

Fifth, the program should focus on avoiding catastrophic buildups which we witnessed in Idaho and other parts of the West this year. Whether valid or not, I'm not qualified to know. But I have heard discussions by some professionals that the APHIS Program of several years ago which regularly sprayed localized buildups of hoppers were responsible in the past for precluding the massive, widespread numbers which occurred in 1984 and 1985.

Additionally, I think the responsibility of the BLM needs to be clarified. They do have people in the field who supposedly are observing and monitoring the land every day. In this case, however, I know I personally was never advised by BLM personnel of problems on my allotments last year when hoppers did take approximately 30 percent of the range forage, nor was I contacted this spring by any of these individuals.

As far as I know, they were not involved in alerting the extension agents, APHIS or others to insure the control of the place in localized areas. By and large I think ranchers did that. Upon inquiry on the district level, the primary response which I received was that grasshoppers are somebody's responsibility other than the BLM. Whereas that may be true financially in terms of applying the program, I do think that those people have a lot of qualified field personnel that should and could constitute a logical first line for monitoring and reporting on the first problem spots.

And seventh, in coping with this massive westwide program, it was rather alarming that we were dependent upon one acceptable chemical from one company in the United States, from one production facility in New Jersey. And this, I think, illustrates the precariousness which exists not only here, but in other areas of pest management as a result of what are sometimes unreasonable, unrealistic, and unscientific controls placed upon registration and use of agriculture chemicals. Attention needs to be given to the availability of products in the future.

And then I would certainly like to concur with Mr. Rush that we do need to give more attention to our valued beekeepers out there who are struggling with this problem.

I thought though we started late it was a remarkable, marvelous, cooperative effort, and we're all indebted to Steve Young, who I think played Paul Revere and got all of us off of our fannies. It wasn't his fault that many of us in Government responded too late. I was also very impressed with the action of APHIS, the extension personnel, many, many private citizens, and Dick Rush's staff that gave very selflessly of their time and efforts. I felt one of the outstanding aspects of this year's program was how both Government and private parties, just as a matter of course, unselfishly took into account those private landowners who were in very severe trouble. Their needs were taken care of willingly on the part of other private landowners, and to some extent were accommodated by the Federal Government, and I for one thought it was a very fine effort once it got going.

The CHAIRMAN. Thank you very much, Laird.

Lynn.

STATEMENT OF IDAHO STATE REPRESENTATIVE LYNN TOMINAGA

Mr. TOMINAGA. Mr. Chairman, I'd like to add a few things to what Senator Laird Noh's just said. I'd like to just say thank you for the opportunity for me being able to be here today. I'm sorry I do not have written comments today. I've just gotten back from a Western States Council of State Governments on Water Policies. So I just got back yesterday and was just informed of the hearing last night. So I haven't had time to have written comments.

I think everybody has said about the cooperation, and I think that that's well enough. And the cooperation that's been put together by both State, Federal, and the private individuals in getting this horrendous task done is something that needs to be complimented by everybody that was involved.

The reason I'm here today is that I'm a member of the State senate agriculture committee, plus also a member of the Governor's task force on grasshopper control.

I think that there was a few things mentioned about how to get people out in the field. You talk about hiring people that work during the winter. A possible suggestion of hiring spotters is that we have many students and graduates in our colleges that are majoring in entomology.

And, you know, college students are always looking for jobs during the summer. As a possibility, there's that possibility of hiring college students that are in the field of entomology to try and be used as spotters. That way they are already trained in spotting or identification, and there wouldn't be the process of trying to train other people for that responsibility.

There are a couple problems that I saw during the summer in the ways of problems that occurred. One was the availability of planes. In the area that I am from, we were pretty lucky. We were one of the first areas to be sprayed, and we caught the hoppers in that third instar larvae stage. And basically it did about a 90-percent control where I lived and the neighbors around me. But in other areas where the instar got larger, and got their wings, and were able to fly, the control was not as good. And so I think that was a problem that we saw was that the availability of planes going out and spraying when the grasshoppers are in that very vulnerable stage, that three instar stage, was very important in getting better control in many areas that did not see that kind of control.

Again, thanks to Terry Miller and Steve Young. Like Senator Noh said, they are more or less the Paul Reveres where they informed the State legislature in late January, early February, that the problem was going to exist. And from then on we just did letter writing campaigns and tried to inform as many of the political system as we could of the problems that were going to be coming this summer.

And last, but not least, is Idaho is a very dependent agricultural State. We have a very depressed agriculture economy right now. We have $4 barley, we have under $3 wheat. And to have an extra burden put on the farmers to try and control grasshoppers by themselves without some kind of help from the Federal Government in spraying the Federal lands, it's going to mean economic death to those farmers that border Federal lands.

Thank you very much.

The CHAIRMAN. Thank you very much, Lynn.

Noy Brackett.

STATEMENT OF IDAHO STATE REPRESENTATIVE NOY E. BRACKETT

Mr. **Brackett**. Ladies and gentlemen, honorable Senator, members of the panel, we worked very hard last winter in the legislature to try and get the Federal Government, the State government, and the county government, and private to coordinate all work as a unit. I mentioned Steve Young. Rosemary Haley, and Steve Young, and others came to us, and they had problems last year. Frances Field right here worked on it. And Max Hansen came to me in the winter there and asked what could be done and what should be done. And I felt that with the help that the local people in the State gave us in the legislature, it really helped.

We worked very hard in the Idaho Legislature to do what we could to help coordinate any program. But I think where it really came to a showdown was when Senator McClure, Senator Symms, and Congressman Craig helped on the national scale. Where Idaho is two-thirds Federal lands, it didn't do us much good to control them on the private land unless it was also controlled on the Federal lands.

I personally feel that much of this Federal land, especially on the BLM, can be better managed if it was under private ownership. Where it is Federal ownership, then I think the Federal Government should be a good neighbor and take care of their problems. And this is surely one of them, because if your farm is surrounded by Federal land and you spray your own farm, tomorrow you'd have to spray again, and again, and again. It would be a never-ending process.

The Federal BLM Forest Service had a program on the fire control which I think could be a good example for the control on the grasshoppers, and crickets, and any other pests. If there's a fire, they put the fire out and then pay for it out of sort of a revolving fund. And I think the same thing should be set up on a long-term basis for the control of the grasshoppers.

Personally, I want to really thank our congressional staff, especially Senator McClure, Senator Symms, and Congressman Larry Craig for the coordination that they got on the Federal side. Now on the local basis, the county agents and many other local people helped coordinate this program. But without everybody working together, it would really have been a disaster this year.

I thank you for holding the hearing, and I thank you for the privilege of being here.

The **Chairman**. Thank you, Noy. Next we will hear from Frances Field.

STATEMENT OF IDAHO STATE REPRESENTATIVE FRANCES FIELD

Ms. **Field**. Senator McClure, distinguished guests, fellow legislators, and ladies and gentlemen, I'm Representative Frances Field from Grand View, ID. I really appreciate this opportunity to testify before you. My husband, Oscar, and I live in the Bruneau Grand View area. We have been very concerned with the seriousness of the grasshopper infestation, to not only the farmers in Elmore and

Owyhee Counties, but to all Idaho farmers and subsequently to the economy of the State of Idaho.

I am especially grateful to you, Senator McClure, and your staff, who worked so diligently and tirelessly to help implement and monitor the grasshopper-spraying program in our area, as well as other areas in the State. I commend you for your efforts, and also for introducing with Senator Symms S. 1528, which would provide for funds for emergency prevention, suppression, and control or eradication of grasshoppers or Mormon crickets in the future on public lands.

Some of the spraying this year proved very effective, while other spraying I felt was a waste of money.

In our area, the border spraying by the small planes, at the appropriate time, with the proper chemical was very satisfactory. The Sevin-4 had the residual length of time to kill the hoppers. Had the 10,000 block acres been sprayed within 2 or 3 weeks following the Sevin-4, instead of 1 month later, the kill could have been much larger and of more benefit to the farmers and ranchers in our area. As it happened, between 2 and 3 weeks after the effect of the Sevin-4 was gone, literally clouds of grasshoppers again descended upon the farmers' green fields from the public lands.

Our son owns a farm bordered by the BLM. He has lost one-third of his wheat crop, yet he has sprayed three times. Each time within 3 days after he sprayed, the grasshoppers again came in from the BLM land.

The chemicals themselves are not as expensive for the farmer as the aerial spraying cost. It's impossible to machine-spray crops after they reach a certain height, so the farmer is locked into the aerial spraying.

With restrictions so rigid on types of chemicals available and with the loss of DDT for insect control, farmers not only have to spray for the grasshoppers, many of our farmers had to go back with a different chemical to spray for the aphids and the armyworms.

Although it was suspected that there would be a grasshopper infestation, no prior plans were in place. The areas had to be mapped, and then only on special maps, and approved after the grasshoppers were already making their inroads on the crops.

These plans should have been completed during the winter, preparatory for such an outbreak, should one occur. The planes should have been located, the runways inspected, and personnel trained in advance to be ready to go to work at the first indication of the problem. This was not done. The personnel were not even trained until after the farmers in our area had already lost some of their crops. One of the farmers in the Bruneau area had to plant his corn three times. Many alfalfa fields looked like they had already been cut, with only stems remaining. In our son's wheatfields, the hoppers not only ate the leaves, but the entire plant.

A one-time, good-faith effort spraying and then back to business as usual is not the answer to the problem.

As good stewards, the Federal and State governments should be responsible for spraying their lands as often as necessary to control infestations.

Again I commend you, Senator McClure, for introducing Senate bill 1528. I would hope, however, that more prior planning would be done next year, so that those responsible will be ready to move on the onset of the major infestation and that the chemical chosen be carefully evaluated. I would hope that a chemical would be found that would meet the enivronmental requirements and have a long enough residual period to do the job.

More private spraying contracts might be awarded. Farmers need to be more aware of the chemicals and the channels for assistance.

In order to protect the private landowner from public land infestations, I would like to encourage you to continue with the border or strip spraying, in conjunction with the large block spraying. With the Sevin-4 only costing 80 cents per acre more to spray than the malathion, I am somewhat concerned that perhaps in many cases, where it could have been safe to use the longer residual chemical Sevin-4, that we were not penny-wise and dollar-foolish, especially where border spraying is concerned.

Thank you for your time, and thank you for all of your efforts to help the farmers and ranchers of Idaho during these crucial times. Thank you.

The CHAIRMAN. Thank you very much for your statements and for your suggestions. I have no questions of this panel. I do appreciate your attendance here today. Thank you very much.

We'll next hear from the panel of farmers and ranchers: Steve Young, Bill Hepworth, Gerald Tews, Dr. Terry Miller, Mike Guerry, and Jim Patrick.

We'll hear first from Steve Young. I might just mention, Steve, you said it's going to crowd you in 5 minutes. That's a guide. We're trying to get through today. If you can make it in 5 minutes, I would encourage you to. If you can't, we'll have your statement.

STATEMENT OF STEVEN D. YOUNG, RUPERT, ID

Mr. YOUNG. Thank you very much. Senator McClure, ladies and gentlemen, I'm happy to be here today. I will move forward.

It's my intention to outline for you what has happened concerning the grasshopper problem in the Western States; more specifically in Idaho. In June 1984, we noticed that we were having a hopper problem similar to the 1971 and 1977 infestations. We set out to handle the problem in a similar manner, but by mid-July we realized that we were beating our heads against the wall, a bureaucratic wall. Nothing was happening and it appeared as though nothing was going to happen.

By August, the hopper problem was severe on the border farms. The desert-hatched hoppers had migrated to the farm ground. At this time, Secretary Block came out West. He held a press conference at the Mountain Home Airport. A delegation of Magic Valley farmers met him there. The question of whether the problem would be taken care of arose. Secretary Block answered affirmatively. He said the hoppers would be sprayed, and more importantly, they would be ready for the problem next year.

True enough, 2 or 3 weeks later a plane did spray the Minidoka area. However, it was too litle, too late. It was too late to preserve the border crops. It was too late to kill the adult grasshopper population before they laid their eggs. It was too late to help avert a posing problem in the 1985 growing season.

As time went on, weather conditions indicated that excellent hatching conditions were arising. It looked like a bigger hopper problem. In December 1984, a group from the Burley-Rupert area got together and started to make plans. In January, a public meeting was held with Government agencies, departments, and politicians invited—see attachment 2. Everyone agreed that the hoppers posed a threat. At that time we became aware that Block had asked for $1 million in pest aid for the Nation.

Also the idea of using PILT moneys was presented. We felt this was an insult since it was a moral issue of owner's responsibility. We felt that we were being treated like little kids; no one was taking us seriously. The consensus from the meeting was to try to reinstate the old APHIS spray program. Committeemen went to the State legislature and Governor's office to see if the State was prepared to hold up their end. It appeared they were.

After approaching the private sector and the State, we went to the Feds. Their attitude was: Yes, we have a big problem, but we have no money. And until we get money, nothing will happen.

Following several hundred dollars of telephone and mail correspondence, we felt the situation was critical. Working hand in hand with Jane Wittmeyer of Senator McClure's office, we planned a trip to Washington, DC. It was decided by the committee to send Dr. Terry Miller and myself, Steve Young, to lobby on behalf of the committee and to present testimony to the Senate Ag hearing.

Upon completion of our trip, we felt that our Idaho delegation: Senator McClure, Senator Symms, Congressman Craig, Congressman Stallings, were really the only people that took us half serious. We returned home very disappointed and discouraged having learned the moneys would have to come from CCC or congressional action, and Washington would be playing their little games about it and hoping and half expecting the problem to just go away.

It was mid-April and we had millions of little hoppers all over the State. Finally, after it was apparent that they were not just going to go away, Washington decided that maybe they had better make a little money available. It was announced that $10 million was available for pest control in the United States. But unknown to us at that time, all that they did was tell APHIS to get the fat out of their system and redirect $10 million to help with the problem. They put the old program into effect: 100 percent Federal; 50 percent by State; and one-third, one-third, one-third on private grounds.

This whole program reminded me of a farmer who got a wild hair one day and decided to farm 50,000 acres the next year. He waited until the snow was gone, and the day he was to go to work in the field, he got out of bed, went to town to look at equipment and visit the banker.

As things started to come together, it was apparent there were two different approaches we could take. One, just push and shove and make APHIS spray when we wanted, how we wanted, what material we wanted, and where we wanted. Or two, follow the APHIS guidelines and organization blocking out 10,000-acre units, gathering money from private dry ground and infested croplands. Working hand in hand trying to collate and get the program put together, we chose the latter plan, having seen it function successfully previously.

Things began to unfold and a mountain of problems appeared. I will highlight a few. First, the APHIS Program had been so drastically cut there were few trained, experienced personnel available. Second, airplanes were not readily available. Most of the big ones needed had been in mothballs for several years. Third, chemicals and products were in short supplies and stocks were quickly depleted.

I, myself, live in Minidoka County, and our county agent quit a very short time before the spraying program began. His summer replacement was a college student assigned to oversee the 4-H program. Because of this, I was given not only the job of being the chairman of the Farmers Hopper Committee, but also the county agent's responsibility of correlating and administering the program because of the responsibility. This gave me the opportunity to see the program inside out.

Our county was the third program put together in the State, to my knowledge. And a young man was brought in from California to administer and spray 726,000 acres. Our county was part of this acreage. Two small planes and four big DC–4's were assigned to our block. It quickly became apparent that this individual had never been in charge of a program of this sort, or for that matter, ever been around this type of program. Try as he did with good intentions, it was one blunder after another.

More detail on the plane problems. The planes were given 3 weeks' notice. Most of the planes had been on the ground since 1980. After the bids were submitted and accepted, the pilots and operators had 3 days or so to show up, 24 hours to get started. How can they prepare World War II planes in 3 days, or in 3 weeks, for that matter? They showed up with planes that would not perform properly to do a very timely and critical job which was threatening millions of dollars of crops. The hoppers were causing hundreds of thousands of dollars of damage each day in each county.

Ground crews were poorly directed in the area of monitoring hoppers before and after spraying. It seemed they spent much more time checking water to see that not one drop of chemical got in than checking areas for missed strips or sections of spray blocks.

Guidance systems were a complete disappointment on the DC–4's. I'm not sure if the equipment malfunctioned or if it was human error, but they skipped strips from 600 feet wide to 1 mile wide in straight lines as long as 30 miles long. It seemed as though the good old-fashioned program of using mirrors was the best.

After many angry words and threats of no payment and legal action were made, a halfhearted effort was made to try to catch the skips with the farmers self-administering the program. I'm not sure why, other than I guess there weren't people available from APHIS or they didn't know how to do what they said we had to do.

When planes weren't available to bid, the military was called in. Everyone said this would be a joke. But the sad reality was, they were the ones that performed in a timely manner with some form of quality.

Then when it was all over, an APHIS official sat me down and read out of the handbook that APHIS' Program is only to control grasshoppers on rangeland. This is because with modern chemicals farmers can take total responsibility and care of their own farmland. For me to see a letter also that Fish and Game sent to APHIS saying: If you want, you can spray this ground if this and this and this is done. And APHIS telling them they cannot spray their ground unless they request it done, drove home the point that APHIS had a job to do, but no authority to do it with.

Why can't they be a little more like the IRS and be able to do whatever they want when they see the need; or a little bit like the Immigration Department, who come on private lands and trespass, destroying crops and real property in performing their so-called duties?

Perhaps if the farmers still had DDT, we could defend our land. But we don't, and it's virtually impossible to stop the hordes of grasshoppers hopping, not to mention the problem when they start to fly.

It's very apparent to me the problem is back in Washington, DC. Why can't the people back there understand it costs money to own and manage land? Can't they accept the responsibility for properly managing and appropriate a little money for management? If they are tight, maybe they could cut back on development projects or purchase of new lands. Can't they understand that the real cost isn't spraying, but the loss of tax revenue paid by private individuals caused by a neglectful neighbor and the hardships which these things cause on committees which are totally unfair to communities?

[The attachments to the prepared statement of Mr. Young follow:]

attachment
#1

Minutes of Committee Meeting

Subject: Grasshopper Control on BLM Property
Date: December, 31, 1984 at 8:00am
Location: MRJ Grain Conference Room
Conducting: Steve Young
In Attendance: Steve Young, Jeff Johnson, Jack Harman, Ross Hunsaker, Randy Newton, Cal Phillips, Patterson, Bill Hepworth.

Discussion:

A. Talk show program Friday, January 4, 1985 at KLSX radio station.
   1. Young and Patterson will attend.
   2. Need background information on grasshopppper life cycle.
   3. Be cautious about remarks which might stir up environmentalists.

B. Rosemary Haley has contacted our representatives.
   1. John Keenan (Larry Craig's office)
      D.C. 202-225-6611
      Idaho 334-9046
   2. Jane ~~[illegible]~~ Witmeyer (James McClure's office)
      D.C. 202-224-1018
      Idaho 733-1267

C. Ringert and Humphries will preform a study on saing the BLM.
   1. The fee for this study is $5,000, if farmers wish to pursue it.
   2. Main concern is for coming year not past damages.
   3. A potential lawsuit may get action from politicions.

D. Meeting at Price's Cafe at 9am on Monday January 7, 1985.
   1. Getting a large group is very important.
   2. Check into having chemical companies pay for breakfast.
   3. Agenda:
      Breakfast
      Greating-Steve Young
      Statement of the Problem
      Specialist Discuss Grasshopper Life Cycle
      BLM Official Discuss Their 1985 Plan for Control
      Other Politicians
      Attorneys
      Question and Answer

E. Each member of the committee took various assignments.

James Goutnib

Rep. B.L.M. - Erwin Cowley.
Afice - Roger Palard. animoligest.
BeeKeepers - Tom Hamlton Pres.
Lary Crag - John Keman
James Mcclure - Jane Whitmer

Moutain Home Chair Man - Woody Wing. 587-5319
Magic Valley ChairMan - Steve Young 532-4487

Board Members

Bill Hepworth	Farmer
Russell Patterson	"
Cal Phillips	"
Randy Newton	"
Jack Harman	"
Jef Johnson	"
Ross Hunsaker	"
RoseMary Hailey	Farmer - Media Cordnator

attachment
#2

January 7, 1985

The grasshopper control committee met at Price's cafe on Monday, January 7, 1985 at 9:00 a.m. for a no host breakfast. The meeting began at 10:00 a.m. and was conducted by Mr. Steve Young. Mr. Young was introduced to the group by Rosemary Haley. Mr. Young then introduced the head table and guests, who were representatives from government offices and departments. Those offices and their representatives were as follows:

Senator McClures office: Jane W[illegible]ittmeyer and Mike Fields
Representative Larry Craig's office: John Keenan
APHIS: Roger Pollard
BLM: John Davis
Idaho Department of Agriculture: Russ Russell
Idaho Fish and Game: Bud Stackler
Bee Keepers: Dave Belliston
Legal Counsel: Mr. Howard D. Humphrey, from the law firm of CLEMONS, COSHO & HUMPHREY, Boise, Idaho

Also in attendance were farmers representing the Raft River, American Falls, Idaho Falls and Mountain Home areas.

At this time the statement of the committee was read:

> "According to Roger Pollard, the Aphis Coordinator, the grasshopper problem has potential of being more severe this year than last. Therefore, the purpose of this meeting is to plan and coordinate efforts between the affected farmers, government agencies and political representatives to deal with this potential problem. As a result we have invited these guests to address the problem from their particular areas of interest and responsibility."

PROGRAM

Mr. John Davis, representing the BLM for the State of Idaho, stated that the BLM does recognize that there is a problem with insects at some times, but that is the purpose of the APHIS people (Animal, Plant, Health Inspection Service). The BLM and the Department of Interior did not ask for grasshopper funds in 1985. He further stated that the BLM is not going to provide any money for the grasshopper problem, that they are looking to the Department of Agriculture for the funds. Mr. Davis stressed they would support the APHIS in grasshopper control. They (BLM) will exercise their authority as far as we see fit and help us to get the job done.

The APHIS (Animal, Plant, Health Inspection Service) representative, Roger Pollard, stated he doesn't know where the funds will come from for 1985, if the grasshoppers are a problem. The latest information made available to him from APHIS was that APHIS had obtained $500,000.00 from Senator McClure, and $500,000.00 was available from APHIS for assistance. This money would be available on a first come, first serve basis nationwide. Mr. Pollard displayed some maps which showed the grasshopper infested areas. He stated that the grasshoppers first appear in the warmer states such as Texas and Arizona, and Idaho is one of the last states affected or infested. Mr. Pollard feels that the monies available will probably be used long before we have proof we have a problem. The grasshoppers usually start to appear in the latter part of June in the State of Washington, and work down towards the Snake River. Pollard stated that possibly 4 to 5 million acres need to be sprayed alone in the State of Idaho. He feels that a group effort is the only way to get anything accomplished. This is a tough problem to be working on especially at this time with all the budget cuts in the government.

Representing Senator James McClure's office, and also the Water and Land Bill was Ms. Jane Whittmeyer. She also stated that it is a difficult time to find money available for the grasshopper problem considering all the budget cuts in the government. According to Ms. Whittmeyer Senator McClure requested $500,000.00 to fight the problem last year. Burt Hawkins, the head of APHIS in Washington D.C., has a new program and is adding another $500,000.00 to the program, which would make $1,000,000.00 available. However, this is not enough for the problem, which entails 54 million acres in 17 states. We will be looking at approximately 5 million acres in the State of Idaho to spray in 1985. Government lands as well as privately owned lands bordering the government lands will be sprayed. The economic infestation is said to be 8 grasshoppers per square yard. Mr. Hawkins advised Ms. Whittmeyer of a 1/2 - 1/2 program; that being the State and Federal governments would share 1/2 of the cost. The State of Idaho received more funds last year than many other states. Senator McClure is planning to do a study on the APHIS program. He has found that the APHIS is a good program if they have the funds available. Maybe by applying the reverse program for APHIS is the best way to fund for grasshopper control. Example: the range fire program. Range fires are put out, and then they worry about how to pay for it. Farmers need to put a program like this into effect with grasshoppers. Ms. Whittmeyer stated that Senator McClure does want to work with the farmers on this problem , and help organize a program with the counties in each area.

Mr. John Keenan represented Representative Larry Craig. He also stressed that the biggest obstacle is funding. He stated that efforts were made last January in regard to the grasshopper problem. Last year $800,000.00 was made available. The Land and Water Conservation fund ($900 million) is set up to buy land; but we need to tap this fund to control the pests on existing lands. Representative Craig has written a bill and suggested that a fund should be made available (or responsible) for the use of grasshopper control. The grasshopper alert program is an effort to get County Agents, farmers, etc. to contact legislative offices when grasshoppers appear. He also suggested that a coalition letter be written involving the 18 western congressmen that are on key committees to get support for grasshopper control. Chairman of the Agricultural Committee from the State of Texas (De La Graza) pledged support to Rep. Craig in this agricultural matter.

The Idaho Department of Agriculture was represented by Mr. Russ Russell. He stated that they have never had a program for the control of grasshoppers, but in 1979 $51,000.00 was paid by the State in a cost share plan of 1/3 - 2/3. (1/3 State lands, 2/3 Federal lands) which paid for the spraying. Mr. Russell was told unofficially by the Governor's office that the State Lands Department was responsible for taking care of the grasshopper problem on State lands, and money for private lands in a participating program would come out of the Governor's State Emergency Program. All the work involved must be done through the legislative people.

At this time Mr. Young spoke of the different approaches the farmers could use to present their problem. He suggested the public media; involving the federal and state legislative people and/or having an attorney represent the farmers.

Mr. Howard D. Humphrey, from the law firm of Clemons, Cosho and Humphrey of Boise, Idaho offered the following comments. He stated that he is not trying to stir up litigation in this matter. He got involved with the grasshopper situation last fall in the Mountain Home area. He made comments about a Tort against the [illegible] federal government. He said that there is very little information on the responsibilities of the government as fara as federal lands and insect control. The BLM has direct control of federal lands. The Secretary of Agriculture is directed to take care of pest control and other problems with federal lands. In the case of an emergency, the farmers can utilize any funds available for the problem. Mr. Humphrey stated that most cases initiated against the government have been lost to the government. Mr. Humphrey suggested that his law firm do a study of the grasshopper problem, with a cost not to exceed $5,000.00. From the study he has completed to date, Mr. Humphrey feels that the farmers do have a case to pursue against the government. He went on to comment about the State Tort Act. He feels it would be a good idea to investigate the pest problem and make the federal and state officials aware of just how much the farmers are concerned and involved in finding some relief for the grasshopper problem.

Please sign

Name	Address	Organization
[illegible]	Rt #1 Box 1404 Paul	[illegible] Farms Inc
[illegible] Haley	PO Drawer 226	Sun Valley, Idaho 8335[illegible]
Jay [illegible]	602. 18th	Rupert Id. 83350
[illegible]	1012 2nd St	Rupert Idaho 83350
Don Buchan	Rt2 Box 2466	Paul, Idaho 83347
David Buchan	"	"
Erwin Cowley	Box 2B BLM Shoshone	Shoshone Id 8335[illegible]
Clifford Hansen	Rt2 Box 2730 Paul	Chairman
Jerry Moffitt	Rt 7 Box 7440 Paul	
Jim C Harper	Rt 4 Box 249	Rupert Id.
Richard Young	Rt3 Box 293	Rupert Id.
Dennis E. Smith	Rt5 Box 157	Rupert Id
Jerry B Harper	Star Rt. Declo	Harper Farming
[illegible] Goff	205 Pleasant Way Rupert	
Brent I Goff	Rt 3 Box 57 Rupert	
Steve McClellan	Rt 2 Box 2422 Paul	
Eric Russell	Idaho Dept of Agriculture	PO Box 790 Boise ID 83
George T Smith	Route 5 Rupert	
[illegible] Bellaston		
John [illegible] Hensley		
Jimmy Adams	Rt 3 Box 97	Rupert, ID.
Bill Hepworth	Rt 1 Box 368	Rupert, I.D.
Bill McManus	Rt. 1 Box 306	Rupert Id.
Bud Stacklee	Rt3, Burley, Id	
Wm [illegible]	1020 E 17th	Burley, Ida
[illegible] Pulford	PO Bx 67	Twin Falls
Paul Robertson	Rt2 Box 2572	Paul Ida.
Guy Hance		
Richard Hance	Rt. 3 Box 143	Rupert.
Bob [illegible]	Times-News	PO box 548 TF

Howard Humphrey	Lawyer	11th Floor, First Interstate Bldg Boise
Herb Poteet	Farmer	800 N 800 E
[illegible]	Farmer	Rt #4 Box 223
Dean Watters	Farmer	Rt 1 Box [illegible]
Bruce [illegible]	"	163 o Monroe Burley
David May	Farmer	Rt #2 Paul
PAUL HOBSON	AGRONOMIST	RT 4 BURLEY
Jack Duncan	Farmer	Rt #1 Rupert.
Paul Duncan	Farmer	Rt #1 Rupert
Rodney Jentzsch	Farmer	Rt #3 Box 254 Rupert
Gary Sommer	Farmer	Rt #3 Box 548 Rupert
Cory Van Tassell	Farmer	1850 W 100 N Paul
Perry Van Tassell	Farmer	"
Marty Van Tassell	Farmer	"
Warren W. Heu	"	Rt #3 Rupert
Guy W. Heu	"	"
Split Butte Ranch	" "	" " " "
Harry Woodland	Farmer	Rt 1 Paul
Mitchell Woodland	Farmer	Rt 2 Paul
Blaine [illegible]	Farmer	Minidoka
Ross Hunsaker	Farmer	Rupert
Allen Bryngelson	Cattle	Rupert
Tyler A. [illegible]	Farmer	Minidoka
Richard Fassett	Farmer	Norland
Steve Hepworth		Rural Burley

John Taylor Farmer Paul
Jerry Miller Box 87 Minidoka Farmer
Ron Howard Rt1 Box 322 Rupert Farmer
Gary Walton Rt1 Box 303 Rupert Farm
Randy Bauscher Rt 3 Box 88 Rupert Id
Allen Johnson - Triple J Ranch Rt3 Box 25 Rupert FARM
Kerry Locke Courthouse Rupert U of I
Leonard Rehm Hegler Rt Am. Falls
Don [illegible] 1707 A St Rupert
Larry [illegible] RT3 BOX 322 RUPERT
[illegible] P.O. 275 Am. Falls, Idaho
Harry [illegible] WFS PO Box 275 Paul Ida
Calvin H. Webb Hegler Rt. American Falls.
Mark D. [illegible] Rt 1 Box 1531 Heyburn U.S. Steel
Callum Phillips } RT 1 BOX 1222 Paul.
Marilyn Phillips }
Duane Grant Rt #1 Box 248 Rupert, Idaho
Richard B. Dalley Rt # 3 Box 265 Rupert, Idaho
Sheril Shelley Rt #3 Box 204 Rupert Ida.
Mike Telford Rt 2 Box 2568 Paul Id.
Edwin Miller RT4 Box 239 Rupert, ID
Jim Schaffer Rt 1 Box 1196 Paul Idaho 83347
Ron Hepworth Rt #2 Burley
Ron Larson Rt #1 Rupert
John Davis Route #3 Box 1 BLM Burley Id.
Glen Harris Rt 1 Heyburn
[illegible] Rt 5 IDAHO Falls Farmer
[illegible] Rt #1 Box 1418 Paul, Ida
J. I. Maughan " "
Wayne Maughan " "
Woody Wing Mtn. Box 572

Name address Organization
Gary H. Walton Rt 1 Box 303 Rupert Farmer
Tim Eames Rt 3 Box 118 Rupert
Kent Hansen Rt 3 Rupert
Norman Bagnall Rt. 3 Box 104 Rupert
Robert & Boyd Baughman Rt 3 Box 304 & 302 Rupert

Idaho's natural resources are envied by all Americans. In fact, most Idahoans take a great deal of pride in our state and its special qualities. Our natural resources are diverse and include timber, mining, grazing, and recreation--all of which contribute to our quality of life in Idaho. Management of these natural assets is a concern of all us. Wise stewardship, after all, conserves these resources in such a way that their level of productivity is maintained for generations to come.

The federal government owns and manages almost 63% of the land in Idaho and realizes substantial economic benefit from commodity sales derived from these resources (timber, grazing, recreation, mineral leases, etc.) The federal lands in Idaho are managed principally by two U.S. government departments: the Department of Agriculture which manages our forests and national parks, and the Department of Interior which, through the Bureau of Land Management, oversees most of our federally-owned rangelands.

Naturally, over the years Congress recognized the importance of having one of thees federal departments provide management services for certain problems shared by both agencies in the management of these resources. This avoids duplication of services and cuts expenses to the taxpayer.

One such agency is located in the U. S. Department of Agriculture. It is responsible the for control of insects and diseases which periodically plague public and private lands. The agency is

attachment
#3

known as the Animal and Plant Health and Inspection Service (APHIS). Last year, APHIS treated the grasshopper infestation which spread throughout Idaho, Utah and Wyoming as well as the avarian flu epidemic which affected egg farms in Pennsylvania.

Last summer, things did not go smoothly. When I requested that APHIS deal with the grasshopper infestation on federally-owned lands, APHIS indicated that due to budget cuts, no service was available to BLM in Idaho. The few funds remaining were being saved for a potential Medfly outbreak in California.

As bureaucracies go, when you have to make sacrifices you pick the alternative which is least painful to your bureaucracy. In this case, when the U. S. Department of Agriculture APHIS organization needed to cut its budget, it cut out the services that it used to provide to the U.S. Department of Interior's Bureau of Land Management. This left the BLM in a tilt because it had not budgeted any money for this activity and no funds were available to finance the needed pest control work on federal lands.

Well, last year was also an election year. Consequently, political pressure mounted on USDA Secretary Block to use his emergency powers to "do something". Thirty days after I requested that Secretary Block use his "emergency powers" to deal with the infestation he agreed and spraying began. But entomologists (bug scientists) indicated that the hoppers had matured to a point where the spraying was ineffective. Some even said the $530,000 expenditure in Idaho was strictly "political cosmetics" because it came so late.

In the past, federal (APHIS) policy dictated that if the plague--insect or disease--occurred on federal land the U.S. government would meet its public land management responsibility by treating the infested federal acreage and paying 100% for the treatment. If infestations involved only state lands, the federal government was committed to assist affected states by paying for 50% of the costs on state lands. Privately-owned lands would receive assistance and 1/3 of the costs from the federal government. Private owners and state governments would then pay the remaining 2/3's of the costs associ- ated with eradication, regardless of the nature of the infestation on private lands.

Last spring, private landowners and the state took care of their own lands but the federal government was tardy in its spraying effort on federal lands even though no effort was made to seek federal assistance for state or private lands. Private landowners sprayed the same crops several times as the grasshoppers moved, as the range dried up, from federal lands to contiguous lush non-federal irrigated acreages.

During the first week in January, representatives of Senators Symms and McClure met with local ranchers in Burley to introduce their proposal to change the longstanding federal policy. Their proposal, in a nut-shell, suggested that if a disease or pest infestation such as the grasshopper plague occurred on federal lands that it would be the responsibility of contiguous private landowners and state and county governments to help pay the eradication costs on federal lands In other words, they proposed transferring the management costs of federal lands to their non-federal neighbors and tax-paying constituents.

An example may help to illustrate the point.

Say, for discussion purposes, a blight developed on a non-resident owner's vineyard in Anytown, Idaho. Let's call this fellow "Mr. Fed". Before we go further, please keep in mind there is no such outbreak, but for hypothetical purposes, let us imagine there is. Let us also assume that Mr. Fed used logic similar to that reflected in the Symms-McClure proposal to the Burley farmers. The hypothetical Mr. Fed would then take the following action to eliminate the problem.

First, Mr. Fed would call a meeting of his neighbors, who also happen to be his constituents, and announce, "Look, if this blight spreads from my vineyards to yours, it will create a real problem for your operations. Therefore, I want you to pay half the costs of treating my vineyards."

After the howls of discontent died down, a fellow in the back of the room might ask, "Well, tell me, Mr. Fed, why don't you just treat your own grapes and we will treat ours?"

Then Mr. Fed might well respond, "Nope. I cannot do that because I have budgeted my money for more important projects such as foreign aid, million dollar payoffs sanctioned by the Payment-in-Kind Program, and potential Medfly outbreaks in politically more important Cailfornia."

The fellow in the back might retort, "Do you mean you're going to let this devastation spread until it destroys your neighbors' lands and businesses as well as your own?"

Mr. Fed might again respond, "Yep. We've got too many vineyards now, and if you don't pay up, I'll do just that!"

At this point, a U. S. Department of Agriculture APHIS representative attending the meeting might interject, "Mr. Fed, if your failure to treat your land jeopardizes the crops of others, the law requires that you be quarrantined, fined, and if necessary, your vineyards will be destroyed for the protection of those of your neighbors. That is the law!"

Mr. Fed would probably not be taken aback by any of this and would remark, "Well, I make the laws and, therefore, I have decided to have those laws not apply to me! So pay up, or I'll put you out of business!"

The constituent in the back of the room, in exasperation might conclude, "Mr. Fed, what difference does it make if I go out of business because I cannot afford to pay you to treat your land or I go out of business because your untreated plague destroys my cash crop?"

I hope this hypothetical illustration makes the point more clear. The private landowners of this state should not be expected to assume additional costs of managing natural resources simply because their lands lie next to federal lands or simply because the federal government decides to ignore its longstanding commitment to managing federally-owned lands wisely. Nor should the taxes of Idaho or local governments be increased to pay for these management costs for federal lands simply because those federal lands lie within that particular state or county. It is federal land and the costs of its management should be borne by the federal government, not by the people of Idaho. The farmers of Idaho will be glad to treat their crops. The state will bear the cost of treatment of its lands. But all of these efforts by the private owners and state government will be fruitless if the federal government refuses to assume its responsibility.

Ag

July 12, 1984

The Honorable John Block
Secretary of Agriculture
U.S. Department of Agriculture
Washington, D.C. 20250

Dear Secretary Block:

This years unusually wet spring coupled with cyclical emergencies of grasshoppers and recent cuts in Animal and Plant Health Inspection Service Funds have created the potential of widespread economic disaster in Idaho.

There is evidence that a potential danger exists due to the vast numbers of pests on Idaho's federally owned rangelands. I urge you to review this matter carefully and quickly. I also request that you use your emergency powers to act now in preventing this infestation from becoming an economic disaster to the State of Idaho.

Your special attention to this matter is of the greatest economic importance to our State. I cannot overemphasize the need for action in addressing this critical problem as soon as possible.

Sincerely,

JOHN V. EVANS
GOVERNOR

JVE:mbd

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645
24AM

Western Union Mailgram

4-0349555206202 07/24/84 ICS IPMRNCZ CSP BSEA
1 2083442100 MGM TDRN BOISE ID 07-24 0235P EST

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RECEIVED
24 '84
OFFICE OF GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL ROOM 226
BOISE ID 83720

THIS IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2083442100 MGMB TDRN BOISE ID 135 07-24 0235P EST
ZIP
HONORABLE JOHN BLOCK
SECRETARY OF AGRICULTURE
US DEPT OF AGRICULTURE
WASHINGTON DC 20250

DEAR SECRETARY BLOCK,

ON 7-12-84 I SENT YOU A LETTER REGARDING THE DEVASTATION THAT IS OCCURRING FROM AN INFESTATION OF GRASSHOPPERS SPREADING FROM FEDERALLY OWNED FOREST SERVICE AND BLM LANDS TO PRIVATE FARMLAND IN IDAHO. EVEN THOUGH I EMPHASIZED THE CRITICAL IMPORTANCE OF THIS PROBLEM YOU HAVE NOT RESPONDED. SECRETARY BLOCK, YOUR RESPONSIBILITIES IN THIS MATTER ARE QUITE CLEAR. APHIS IS YOUR AGENCY. THERE IS AN EMERGENCY IN IDAHO ON PUBLIC LANDS ON WHICH IT IS YOUR RESPONSIBILITY TO CONTROL PESTS. YOUR INACTION IS JEOPARDIZING $1.1 BILLION WORTH OF CROPS IN THIS STATE ALONE. IN 1979 YOUR PREDECESSOR SPRAYED 600,000 ACRES OF PUBLIC LANDS IN IDAHO AND AVERTED A MAJOR ECONOMIC DISASTER. YOUR IMMEDIATE RESPONSE WOULD BE APPRECIATED.

SINCERELY,
JOHN V EVANS

1438 EST

MGMCOMP MGM

TO REPLY BY MAILGRAM MESSAGE, SEE REVERSE SIDE FOR WESTERN UNION'S TOLL - FREE PHONE NUMBERS

July 24, 1984

The Honorable Larry E. Craig
United States Representative
Room 515, Cannon Building
Washington, D.C. 20515

Dear Larry:

This year's unusually wet spring and recent cuts in Animal and Plant Health Inspection Service (APHIS) funds have created the potential of a widespread economic disaster.

Three weeks ago APHIS notified the Bureau of Land Management that its long-standing (since 1963) contract to control insects on public land was being cancelled. In the intervening period, a major grasshopper infestation of as much as 2.5 million acres has emerged on the public rangelands and stripped the vegetative cover. Now that the hot weather is drying up the public range plants, the insects are moving into the lush green farms contiguous with federal lands. In Elmore County alone over 170,000 acres are now infested. Today I have asked Secretary Block to declare Elmore County an area of natural disaster.

About two weeks ago I notified Secretary Block of this serious matter. To date, he has ignored my letter and the people of Idaho.

This infestation is coming directly from federally-owned and managed lands. APHIS dealt successfully with a similar problem in 1979. You are a representative of Idahoans in Washington, D.C., and that is where the solution to this problem lies. I want you to take action as is necessary to stop the spread of this pest from federally-owned lands to privately-owned lands.

Your inaction will assure the spread of economic disaster throughout Idaho. Your positive action can mitigate the already serious losses Idahoans have incurred.

Sincerely,

JOHN V. EVANS
GOVERNOR

JVE:mbjp

JOHN V. EVANS
GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL
BOISE 83720

August 29, 1984

The Honorable Larry Craig
U.S. House of Representatives
Washington, D.C. 20510

Dear Larry:

Your letter of August 15, 1984 outlined the critical importance of an on-going commitment by the federal government to responsible and neighborly management of federal lands in Idaho.

Before discussing some of the points you have mentioned, as well as a few which are of concern to me, I would like to pledge my support in resolving this issue in favor of the public lands states in the west. Clearly, a coalition of western states will be needed to present a unified front in this matter. The Western Governors' Association could and should provide assistance in this important effort.

You must know that this year's infestation on private lands in Idaho was due in large part by the fact that USDA and APHIS not only could have moved faster in dealing with the problem but should have moved faster. Ironically, the BLM and Forest Service have units which move in a matter of minutes rather than weeks to control damage due to forest and range fires, particularly if private property is jeopardized by such a catastrophe. In this case it took USDA/APHIS from July 12 to August 6 on one occasion to act and from August 10 (date of request for additional assistance) to August 25 in the second request for assistance. Imagine what would have occurred if a forest fire went two weeks to a month untreated before efforts were made to control it. If your crops are burned up or eaten up makes little difference to farmers, bankers and communities which suffer from the loss.

The federal policy which appears to have emerged recently regarding management of public land is that the federal government has no responsibility in controlling pest or noxious weed infestations on federal lands. The 33 barrels of malathion which the State of Idaho paid to transport to Idaho from Pendleton, Oregon is a perfect example of this policy. By federal regulation the 33 barrels of malathion could be sprayed only on federal lands by licensed sprayers. The costs of spraying and transportation must be borne by the contiguous private landowners, not the federal government.

The Honorable Larry Craig
August 29, 1984
Page Two

It is neither the private landowners nor the state's responsibility to spray the federal government's land. We are not asking now, nor have we ever asked for anything more than reasonable emergency control measures.

Imagine if on your ranch in Midvale you had a grasshopper infestation. Your solution was to buy some insecticide, call your neighbor and have him transport it to your ranch (at the neighbor's expense). After this you tell him it is his responsibility to spray your land. Your suggestion that "33 drums were released, but refused, by the Idaho Department of Agriculture" is inaccurate. Whoever reported that to you simply did not relate the facts to you.

One further thought I would hope you will consider. The principle causes of this whole problem were administrative. First, over the past four years, traditional pest control programs on federal lands have been eliminated due to other budget priorities. The current administration chose to eliminate the costs of reasonable land management from the budget. I believe this was an administrative error because it effectively hamstrung the lead organization (APHIS) financially. The other administrative problem occurred when top administrative officials, particularly in APHIS and PPQ did not realize or request that USDA Secretary Block could declare an emergency and borrow the necessary money from the Commodity Credit Corporation to fight the emergency. As Secretary Block put it at our recent meeting, "The fact that there wasn't any money left prompted everyone to sit around and wring their hands and say 'There isn't any money'."

Considering the problem in this way, advocating an annual budget item may be one approach to the problem, but what we really needed is administrative authority to borrow emergency money and act when it is needed to deal with these problems. I am suggesting that we may not wish to set a budget item up which could be cut in later years but rather establish emergency funding and program for circumstances which occurred this year. What occurred this year was like the ambulance driver who ran out of gas in front of a gas pump on his way to the hospital with a patient. Realizing his predicament, he announced that he could not get any gas even though he had the money because it was not in the budget. No wonder the patient is sueing!

Again, I pledge my support in whatever efforts can be agreed upon by the leaders from other western states.

Sincerely,

John V. Evans

JOHN V. EVANS
GOVERNOR

JVE/mbd

attachment
#4

9 April 1985

Dear Fellow Farmers:

It has been predicted by an egg count that Idaho is facing the worst grasshopper infestation in 30 years and our congressional delegation is having a difficult time getting money appropriated to control this pest.

We are asking you to donate money to send Dr. Jerry Miller and Steve Young to Washington D.C. so they can testify before the Agricultural Committee on April 15. We also ask you to write four letters, one to each member of the Idaho Congressional Delegation. We will need these before Friday, April 12 so they can be taken with Steve and Jerry.

Spring is running late and we are all anxious to plant our crops, but we may not have crops to harvest if money is not appropriated to control these pests. Therefore, for your own sakes please help us out.

Suggestions for letters

I. Hand written letters are more personal.
II. Write four letters
    A. Senator James McClure
    B. Senator Steve Symms
    C. Rep. Larry Craig
    D. Rep. Richard Stallings
III. Keep letters direct and to the point
    A. Date
    B. State last years problem and losses.
    C. State this years potential problem.
    D. Problem originated on Federally owned lands.
        1. Good neighbor policy.
        2. Federal government is responsible for taking care of their pests.
IV. This problem affects our livelihoods and we are serious about making sure it is taken care of.
V. Signature of farmer.

Thank you,
The HOPPER Committee

attachment
#5

Grasshopper Control Committee Washington D.C. trip travelogue and report
April 15 & 16, 1985

9:00 a.m. left Rupert and drove to Salt Lake City

1:50 p.m. flew out of S.L.C...transferred to another flight in Denver.... arrived in D.C. 9:00 p.m.

9:00 p.m. rode bus to downtown D.C. then took taxi to our hotel

11:00 p.m. walked to Washington Monument...from there we went to the Jefferson Memorial and were quite impressed with one of the statements he made: "I know but one code of morality for men whether acting singurlarly or collectively." We decided to use this as our closing statement with everyone we met with. Terry decided to use it as his closing remark to his testimony.

8:00 a.m. breakfast with McClure's legislative assistant, Jane Wittmeyer... discussed plans for day.

8:45 a.m. Ag Building....went to see Secretary Block ...could not get appointment invited to visit with Raymond Lett (room 244E) assistant to Block....unable to visit with him....did finally get to see Allen Tracy (room 239E)....He was sympathetic but told us that we needed to go on the hill because Sec. Block ~~would~~ probably would not use C.C.C. monies again to control the hoppers. They felt hoppers were not a disease. The main problem was that O.M.B. didn't want C.C.C. funds used. Block's office will be speaking with O.M.B. upper level next week to discuss the hopper situation. He also said that Block would control the hoppers if they had some money but they didn't, so they had no responsibility. Allen Tracy also said the person that we really needed to see (a lady deputy asst.) was not there.

9:45 a.m. went to Rayburn Building.... visited with Bob Foster (room 2362) head of House Ag Committee....after talking for a short time he told us we were preaching to the choir....He said he agreed with us and understood the problem but his hands were tied because he didn't know of anything coming through the House that this (our problem) could ride with....He suggested that we go to the Senate and have them do something to a bill that was already sent through the House so we could get the money in time.....Talked about the moral issue, but he didn't seem to think it was that important.

10:45 a.m. went to McClure's office...delivered letters... met Jane at room 361 Dirkson Building and went to room 138 for the Hearing.

10:55 a.m. went to the Hearing. There were three senators present. Before Terry's turn two of them left. This left Burdach as chairman...three fourths of the way through Terry's testimony Jim McClure came in and joined us. He asked a few questions....then we asked him if we would be able to get money in time (middle of June). He said we would have it long before then.

12:00 noon lunch with Jane and Trent L. Clark from Symms office. Lunch was some what quiet because of the way things were going.

1:00 p.m. to McClure's office and met with Jim Hansen former employee of Block's office and presently serving with A.P.H.I.S. We were joined by Bobby R. Acord legislative affairs from A.P.H.I.S. We asked them if A.P.H.I.S. had done any of the leg work on arranging for the Malathion and spray planes. They said maybe the Malathion but didn't know too much about the planes. They explained the C.C.C. Program and how the White House is the real problem because they didn't like these funds being used like this. They had visited with Block and the staff about the oral committment made last year to take care of the problem this year. They felt that a decision had not been made behind closed doors but he admitted they are playing political football (are they going to use C.C.C. money or is Congress going to appriate funds). They also suggested that deficiency warranties were an excellent way tohandle the problem in the future. We also asked if they would support M^{c}Clure's reprogramming request. They said it wouldn't work.

2:10 p.m. went to Senator Symm's office to meet with Trent Clark (room 509) (Hart Building) He gave us copies of the letters farmers had sent with us, now we can hve everyone write similar letters to John Block, Raymond Lett, and Bert Hawkins. While we were there we decided to write back to Clark on exactly what steps we felt A.P.H.I.S. should be taking. He took us back through the office to show us around. While back there we ran into Steve Symms. Steve sat down and visited with us for a few minutes and it was decided that he should call Block and remind him about last year's promise and contact other western states. He said he sould get the ball rolling on having A.P.H.I.S. getting the Malathion and planes checked out. He also talked about defiency warranties being a good long run solution. We also talked about the run around we had while we were there.

2:30 Went to Larry Craig's office. (room 1318 Longworth Building) We delivered letters and talked about the Block committment....He agreed to get hold of the other involved states. We talked about the importance of having planes in the air June 20 and that A.P.H.I.S. should be getting out the bids for the planes and Malathion.

Dear Colege Letter

2:50 visited with Richard Stallings and was able to hand deliver the letters and briefly talk about the Block committment and the importance of timing..... then a legislative assistant came and we reviewed then talked about the other states involved, A.P.H.I.S., C.C.C., and were made aware that Stallings had sent a letter to his fellow congressmen to gain support for us.

3:15 went to hotel....got our stuff....went to the airport....came home.

Secretary John Block
Room 200A
14 & Independence S.W.
Washington D.C.
20250

Grasshopper Control Committee Washington D.C. trip...Steven D. Young and Dr Terry Miller.....April 15 & 16, 1985

Expenditures

10.26	lunch Salt Lake City	Steve
148.50	hotel Loews Len Fant Plaza)	Steve
18.00	bus to downtown	Steve
10.00	taxi to hotel	Steve
5.00	taxi Tuesday morning	Steve
3.00	taxi to Dirkson	Terry
1.00	taxi to Dirkson	Steve
16.51	breakfast with Jane Wittmeyer	Terry
10.51	lunch	Terry
25.00	taxi to airport	Terry
10.00	taxi to airport	Steve
25.00	gas to and from Salt Lake City	Terry
5.70	car parking (airport)	Steve

208.46	subtotal cash expense Steve
80.02	subtotal cash expense Terry
288.48	total cash expenditure
640.00	plane tickets -charged

928.48	cost of trip

attachment
#6

MILLER RESEARCH, INC.
P. O. Box 515 • Rupert, Idaho 83350 • Phone (208) 436-0407

WRITTEN TESTIMONY PRESENTED TO THE SENATE APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT AND RELATED AGENCIES - APRIL 16,1985 - PRESENTED BY DR. TERRY MILLER ON BEHALF OF THE HOPPER COMMITTEE.

The following is a brief overview of grasshopper biology and the severity of the problem in 1984 in South-central Idaho.

GRASSHOPPER DEVELOPMENT

Developmental stages in grasshoppers include the egg, immature (nymph) and adult. Most species pass the winter as eggs. Eggs are deposited by the females during the late summer and fall. Eggs are produced in groups and in structures called egg pods. Pods commonly contain 4 to 40 eggs. Females produce 4 to 25 egg pods, and total egg production is commonly 100 to 200 eggs, but 500 is not uncommon. The nymphal stage includes 5-6 stages (instars) before becoming an adult.

BEHAVIOR

Grasshopper movement is influenced by: (1) suitable food supply, (2) weather, (3) mating, and (4) population pressures. Factors 1 through 3 are sporadic flights of somewhat short duration. Mass flights due to dense populations (swarming) cause movements of up to 66 miles/day and 200-300 miles/season. Swarms can increase grasshopper numbers from 1-5 hoppers/sq. yard to several hundred/sq. yd. Swarming increases dramatically the consumption of the crops descended upon and results in rapid damage to agricultural crops.

POPULATION DYNAMICS

Grasshopper populations are characterized by violent oscillations between endemic (low) and epidemic (high) densities. Populations commonly require five years to move from endemic (less than 1/sq. yd.) to epidemic (24-32/sq. yd.) densities. A common but erroneous assumption is that severe winter weather will affect grasshopper survival. However, the eggs seem relatively impervious to weather conditions. One of the common hoppers infesting our area has the capability to increase 82-fold between generations. Biological control by predators, parasites and disease cannot be counted on to keep grasshoppers in check. This is witnessed by the fact that epidemics have and continue to occur throughout the world.

MANAGEMENT & SUPPRESSION

Grasshoppers eat approximately one-half of their body weight in green foliage per day. Grasshopper populations of 6-7/sq. yd. will consume as much forage as one-tenth of a cow/acre. The U. S. department of Agriculture suggests treatment when numbers exceed 9/sq. yd. Grasshopper control in order to be effective must take place before the adult stage is achieved. Large, mature adults are less susceptible to insecticides. Table 4. shows a dramatic drop in the effectivness of control when the hoppers become adults and, of coarse, they are adults when they move from the desert vegetation to agricultural crops. Chemical suppression programs are expensive, nevertheless, they are critically essential because of the long term reduction in grasshopper numbers. Hence, control costs can be amortized over several years.

Table 4. Costs* and returns associated with treatment of rangeland for control of grasshoppers (modified from Onsager, 1978).

			Forage Saved/ha			Net
Treatment	Instar Treated	Rate (kg AI/ha)	kg (dry wt.)	Value ($)	Investment ($/ha)	Return ($/ha)
carbaryl	3rd	,0.56	252	12.30	6.79	5.51
		1.12	297	14.50	9.63	4.87
	4th, 5th	0.28	212	10.36	5.37	4.99
		0.56	227	11.11	6.79	4.32
		1.12	242	11.81	9.63	2.18
	adult	0.56	130	6.36	6.79	−0.43
		1.12	132	6.44	9.63	−3.19
malathion	adult	0.56	125	6.14	5.53	0.61
untreated			0	0	0	−16.66

*Costs of treatment per hectare were $3.95 for application plus $1.42, $2.84 and $5.68, respectively, for the 0.28, 0.56 and 1.12 kg dosages of carbaryl and $1.58 for malathion. Forage was valued at $44 per metric ton. Grasshopper density was 10 to 15 per m^2.

Grasshopper population outbreaks can involve such large geographic areas that effective suppression is beyond the capability of the single landowner.

LOCAL DATA (Idaho)

During the 1984 crop year the following infestations were documented on the west farm of Miller Farm Research Inc. This farm is adjacent to Bureau of Land Management (BLM) desert grazing land.

a. Populations on wheat plants ranged from a low of 27 hoppers/sq. yd. to a high of 324 hoppers/sq. yd.

b. The above counts translate into 130,000-over 1,500,000 grasshoppers/acre.

c. Grasshoppers are considered at epidemic levels at 8-9/sq. yd.

d. Research plots near the desert measured 12 X 40 feet. On the final data collection date I was unable to find 10 wheat flag leaves in many of the plots.

e. Samples of wheat were collected for protein analysis in the laboratory. These samples were collected from an interior field not adjacent to the desert. Measurements of the weight of grasshoppers/bu. was 1.3% of the weight of the wheat. If a bushel of wheat equals 60 lbs. then 0.75 lbs. was dried grasshopper bodies. It should be kept in mind that the majority of the hoppers fly from the combine so only a small proportion are harvested.

WHO IS RESPONSIBLE FOR CONTROL?

The above figures are used only to help everyone understand the gravity of the situation in our state. The grasshoppers breed and migrate from federally-owned land. Officials of the BLM when asked what to do about the problem say only that the Animal and Plant Health Inspection Service (APHIS) handle grasshopper problems on federally-owned land. It is virtually assured that APHIS will not have funds to control grasshoppers because of the other demands placed on their very limited money supply. Funds are allocated on a first come first served basis. In the past, funds have been rapidly exhausted by Med fly and Citrus Canker outbreaks.

Our contention is that the problem goes beyond grasshoppers to include other pests (rabbits, noxious weeds, etc.) that originate on federal lands and devastate private lands. If the Bureau of Land Management is responsible for the management of desert lands, then it should see that that trust is carried out irregardless of to whom they have subcontracted the control. Carrying it one step further, the Department of Agriculture is where the "buck must stop". The Federal Government has a responsibility to its citizens to be a "good neighbor".

MAGNITUDE OF THE PROBLEM

I have enclosed estimates of the acres affected in the seventeen western states because this is not a local problem but one of enormous magnitude. APHIS in the past, if properly funded, has done an admirable job in controlling grasshoppers on federal lands. We believe that the program used in 1979 was reasonable, effective and fair. In brief the control was paid for as follows:

1. Federal lands - 100% federal funds
2. State lands - 1/2 federal and 1/2 state funds
3. Private lands - 1/3 federal, 1/3 State, and 1/3 private funds

Since the grasshopper infestations are periodic and do not occur each year, perhaps funding similar to fire control for federal lands should be considered. The fires are controlled and deficiency warrants are issued to pay for that control. The warrants are repaid by programs within the various agencies involved. We do not propose to know the best method to handle this type of pest management but we do know that the problem comes from federal, and to a lesser extent, state lands. Therefore, that is where the solution should also come from.

It has been predicted, based on scientific data, that 1985 will be the worst epidemic in 30 years. On my own property, using the data given in this document, the levels of grasshopper infestation could reach levels equivalent to 360 cows/acre. Data also presented shows that we will not be able to control the epidemic if the hoppers are allowed to reach the adult stage and migrate to the agricultural lands. Both the local administrator for APHIS, Roger Pollard, and the University of Idaho Entomologist say that the private land owners will not be able to control the expected grasshoppers. To this point in time there is no reason to beleive that the edidemic will not occur as predicted. In short, the hoppers have to be stopped in the desert before they reach the crop lands. It is unconscionable for the state and federal governments to stand by passing a political football back and forth while the federal grasshoppers devastate our lands. If such a problem were to start on private lands and threaten federal properties we would be forced to pay for the control measures. This is evidenced by the actions taken when fire or noxious weeds are allowed to spread to public lands.

HOW MUCH TIME DO WE HAVE?

Time has about run out. In order to adequately control the grasshoppers in the instar stage on the federal-lands where the hatch will take place, monies have to be appropriated now! It will take time to find and contract the large aircraft necessary to accomplish the spraying operation. Many of these planes have not been used recently and will need to be properly prepared. Is it possible to use the agent orange planes? The eggs will be hatching about the first of June. Since there is only one APHIS person doing all the ground work, immediately is the time for action.

Many letters have been written, many meetings held, and promises made, but we are no closer to a solution than when we started last fall. Everyone is sympathetic but no one has solved the problem.

It behooves each of us to examine the plight of the farmers before asking us to bear this overwhelming additional burden. We have exhausted our efforts and that is why we have taken time from our planting to present our problem. We ask only that you provide a long term solution to the problem of proper, responsible management of federal-lands.

*ESTIMATED ACREAGE REQUIRING CONTROL
BY STATE AND BY OWNERSHIP

State	Acres Private/State	Acres Federal
Arizona	100,000	1,100,000
California	-	-
Colorado	500,000	11,000
Idaho	200,000	900,000
Kansas	-	-
Montana	500,000	500,000
Nebraska	450,000	50,000
New Mexico	900,000	100,000
Nevada	10,000	26,000
North Dakota	300,000	350,000
Oklahoma	100,000	-
Oregon	500,000	200,000
South Dakota	400,000	500,000
Texas	500,000	-
Utah	103,000	365,000
Washington	35,000	35,000
Wyoming	300,000	500,000
Totals	4,903,000	4,637,000

Total Acreage: 9,540,000

*Fall survey indicates 54 million acres of economic levels of infestation. Acreage requiring control is based on knowledge of conditions and history of control measures in these areas.

REFERENCES

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Shotwell, R.L. 1930. A study of the lesser migratory grasshopper. USDA. Tech, Bull 190:1-34.

attachment
#7

United States Department of the Interior

FISH AND WILDLIFE SERVICE
BOISE FIELD OFFICE
4696 Overland Road, Room 576
Boise, Idaho 83705

July 3, 1985

Roger Pollard
APHIS
P.O. Box 67
Twin Falls, Idaho 83301

Re: Grasshopper Control in Idaho
(1019.0700)

Dear Mr. Pollard:

Our letter to you of June 27 transmitted maps of National Wildlife Refuges (NWR) in Idaho and recommended a 400 yard no-spray buffer zone outside the refuge boundaries. Please advise us if this recommendation significantly conflicts with your program. We are willing to meet with you to discuss such conflicts on a case-by-case basis.

On July 2 Charles Peck, Manager of the Southeast Idaho Refuge Complex, which includes the Minidoka NWR, advised us that he does not object to APHIS spraying Malathion at 8 oz./acre on uplands at Minidoka refuge for grasshopper control. However, the chemical must not enter NWR water areas or be applied to refuge islands in Lake Walcott. In accordance with Mr. Peck's request, on July 2 we notified Dan Kail from your office of Mr. Peck's decision.

Grasshopper spraying at Minidoka NWR is considered to be a special case because few waterfowl nest at the refuge and the significant wetlands and water areas there are in large blocks and easily seen by spray pilots. Malathion is considered to be non-toxic to birds and mammals when applied at normal rates. However, it is highly toxic to fish and aquatic insects, so it is imperative that no pesticide enter the wetlands or water areas. We recommend against the use of Parathion or Furdan particularly on the refuges.

Bear in mind that there is a 360 acre separate parcel of NWR land in Section 8, T 9 S, R 29 E, which has a small seep on it (see enclosed map).

We are attempting to set up bird monitoring transects at Minidoka NWR to learn the effects of the Malathion on bird numbers. Therefore, please tell us as early as possible when the refuge will be sprayed. Contact Jim Nee at 334-1931.

Sincerely yours,

John P. Wolflin
Field Supervisor

Enclosure

cc: see next page

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Plant Protection
and Quarantine

Western Regional Office
P.O. Box 660790
Sacramento, CA 95866-0790

attachment
#8

July 29, 1985

Mr. Steven D. Young
Minidoka Hopper Committee
Rt. 3, Box 244
Rupert, Idaho 83350

Dear Mr. Young:

Enclosed is your completed copy of Reimbursable Cooperative Agreement No. 12-16-85-136. Remaining documents will be processed upon settlement of the program.

Sincerely,

Franklin D. Myers
Regional Director
Western Region, PPQ

Enclosure

cc:
Bruce Helbig
Roger Pollard

Spray Contract #
53-6395-5-71
53-6395-5-72

12-16-85-136
A/C 55385 05487

REIMBURSABLE/COOPERATIVE AGREEMENT
Between

Minidoka Hopper Committee
(Ranchers)
And
THE UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE

THIS AGREEMENT is made and entered into by and between the Minidoka Hopper Committee, hereinafter called the Cooperator, and the United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine, hereinafter called the Service.

WHEREAS, the object of this Agreement is to control on a timely basis serious infestations of grasshoppers which exist in various counties of the State of Idaho to avoid spread into noninfected areas and to keep damages at a minimum; and

WHEREAS, the Service is authorized pursuant to 7 U.S.C. 148 to cooperate with states, ranchers' committees and similar organizations, and individuals to carry out operations or measures to control the spread of insect pests including grasshoppers on rangeland; and

WHEREAS, it is the intention of the parties hereto that such cooperation shall be for their mutual benefit and the benefit of the people of the United States.

NOW THEREFORE, for and in consideration of the promises and mutual covenants herein contained, the parties hereto do hereby mutually agree with each other as follows:

A. The Cooperator Agrees:

1. That 1/3 of the per acre cost of the undertaking on private rangelands, will be paid by the ranchers who have authorized the Cooperator to enter into this Agreement.

2. To designate an individual as Rancher Representative to act as an agent for the Cooperator as specified in the Plant Protection and Quarantine Program Manual.

3. To receive funds from private ranchers and deposit them in an escrow account to be available to satisfy costs incurred in accordance with the provisions of this Agreement. The signatures of the designated representative of the Cooperator and the Service shall be necessary to authorize disbursement of funds from such account.

4. To release any funds held in said account at the conclusion of this cooperative effort to satisfy costs incurred in accordance with the provisions of this Agreement.

5. To provide to the Service a copy of this Agreement signed by the Cooperator together with a statement from the bank holding private rancher funds stating that such funds are on deposit with the bank in accordance with the provisions of this Agreement.

6. To accept the responsibility to assure that all known bee colonies are removed from the proposed treatment area, or otherwise protected, before treatment will begin.

7. Obligations by the Service for activities conducted under this Agreement will be reimbursed by the Cooperator to the Service, as appropriate, in accordance with the cost-sharing ratio established in paragraphs A.1 and B.1 for the total program costs as defined in paragraph C.3.

B. The Service Agrees:

1. To contribute an amount not to exceed 1/3 of the total costs per acre on private rangelands (estimated to be $3.00 per acre or $1.00). Obligations of the Service shall be limited to and contingent upon the passage of an appropriation by Congress from which expenditures may legally be met.

2. To provide technical direction of all phases of this cooperative effort to control grasshoppers on rangeland.

3. To contract for any pesticide, supplies, and equipment required in this cooperative effort.

4. To contract for any applicators required to apply pesticide in this cooperative effort.

5. To establish Plant Protection and Quarantine Program Manual treatment guidelines, specifying the manner and method of treatment for grasshoppers on rangeland.

6. To review survey maps with the State and Cooperator's Block Chairman and to make an on-site inspection of private ranchlands with the State to determine which areas subject to this Agreement will be treated. Such determination shall be in accordance with treatment guidelines as established in the Plant Protection and Quarantine Program Manual.

7. To provide written notification to the State and the Block Chairman of the Ranchers' Committee of any area which is excluded from treatment and a brief explanation of the reasons for such exclusion.

8. To furnish employees to aid in any survey and treatment operations required by this cooperative effort.

9. To enter into an Agreement with the Cooperator to facilitate transfer of rancher funds to the Service as agreed upon for their share of the total cost of the project as outlined in the Work Plan referenced under paragraph C.8. of this Agreement.

10. To make an accounting of total program expenditures by all cooperating parties within 90 days after the conclusion of this cooperative effort to determine the actual costs and the liability of each cooperating party for the costs incurred. This accounting will be based on a financial status report of expenditures provided to the Service by all cooperating parties to the program that incur costs within 60 days after the close of the program. The date of the conclusion of this cooperative effort shall be mutually agreed upon by the parties hereto.

C. It is Mutually Understood and Agreed:

1. A control block cannot be accepted for treatment until the conditions set forth in A.2. are met.

2. Grasshopper infestations can be suppressed through the application of approved insecticides at approved rates.

3. The overall per acre cost of the job is estimated to be $3.00 per acre. The actual cost per acre of the program shall be determined by dividing the total cost of the program by the total actual acres treated. The total cost of the program shall include salaries; per diem; travel; vehicle operating expenses for State, Federal and rancher personnel directing the program: insecticide; application; and miscellaneous costs, e.g.: telephones, flagging material, etc. The program cost will begin upon solicitation of the aerial contract.

4. It is estimated that approximately 726,000 acres of rangeland may be treated as a result of this cooperative proejct.

5. The areas to be treated carry mixed range cover and are practically uniformly infested. It is recognized and agreed by and among all cooperating parties that any aircraft to be used in this operation may, as a practical matter, be unable to shut off spray when passing over small intervening uninfested areas owned by the parties to this Agreement, thus necessitating the application of spray to small areas which do not carry an economic population.

6. No guarantee is given to kill all grasshoppers, but the best practical control job possible will be done with available funds, personnel, facilities, and within the time available.

7. The funds provided by the cooperating ranchers will be deposited into an escrow account on or before June 10, 1985. Said funds shall be released only as provided in this Agreement, except that a cooperating rancher whose land has been excluded from the cooperative program may have his funds refunded prior to the conclusion of the program.

8. The Service and the State shall jointly develop a budget and Work Plan outlining actions to be carried out by each participant to accomplish the cooperative program covered by this Agreement prior to the signing of this Agreement, to be incorporated into this Agreement by reference.

9. That the monies made available by the Federal government for the purposes described herein will not be expanded unless or until each proposed control program is jointly approved by the parties hereto.

10. That the Rancher Representative is merely acting as an agent for and representing the private ranchers. The Financial liability hereunder shall be limited to that amount associated with his own rangeland. He shall not be financially liable with respect to the rangeland of the private ranchers he represents.

11. To the extent that any deposited funds of the private ranchers are not obligated as determined by the accounting made by the Service, such funds shall be remitted to the private ranchers within a reasonable time after the accounting. A private rancher will be entitled to the difference between the funds he deposited for treatment with the Cooperator, minus the actual cost of treating his land in accordance with the provisions of this Agreement.

12. The costs incurred in this effort may exceed the amount of money on deposit by the private ranchers. If such a situation exists, the private ranchers shall remit to the Service their appropriate share of the additional costs in accordance with the accounting made by the Service, as specified herein, within 30 days notification of such deficiency by the Service.

13. All conditions and provisions of this Agreement shall become effective on June 10, 1985, and shall continue through September 30, 1985 subject to renewal in writing by the parties hereto from year to year. Further, this Agreement may be amended at any time by mutual agreement of the parties hereto in writing. It may be terminated by either party upon 30 days notice in writing to the other party.

Steven D. Young
Rt. 3 Box 244
Rupert Id. 83350
CHAIRMAN OF THE
COMPLETE NAME AND ADDRESS

Steven D. Young May 23, 1985
Name Date

THE UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE

5/28/85
Regional Director Date

The CHAIRMAN. Steve, thank you very much.

Dr. Terry Miller I'll call on next.

STATEMENT OF DR. TERRY MILLER, RUPERT, ID

Dr. MILLER. Thank you, Senator.

Serious grasshoppers are not a new problem. Grasshopper populatins are cyclical, and on the average they reach epidemic proportions about every 22 years. Monitoring of populations in the past was routine, but because of management priority changes, adequate monitoring did not happen in 1984, nor did it happen in 1985. No one, except the farmers, expected a grasshopper epidemic simply because no one was looking. Even after devastating infestation of 1984, action was slow and late.

Those to whom the responsibility to manage the public lands fall are, unfortunately, not responsible to those who are damaged by their inability to act responsibly. The Bureau of Land Management and APHIS did not expect, nor were they prepared for, the grasshopper epidemic that occurred this year. It appears that they assumed that weather or some biological factor would control the hopper populations and all that would be well; but that was not the case.

APHIS said they had to wait for an optimum time to initiate the spray program. During that waiting period, millions of grasshoppers migrated from adjoining Federal lands to devour crops. Perhaps there is no single time for spraying that is optimum. Certainly in this case in my year there was no optimum time, because of the damage I received on my crops from grasshoppers from Federal lands.

Without the diligence of Steve Young of the hopper committee and the pressure from our Idaho congressional delegation, conservatively our damages could have been 10 to 20 time worse than they were. Senator McClure and Jane Wittmeyer worked tirelessly on behalf of the famers of Idaho. And, of course, Steve spent hundreds of hours organizing not only for Minidoka County, but for the State as well.

I guess the thing that concerns me to the point of aggravation is that little, if anything, would have been done in time if constant pressure had not been applied from every side on APHIS. The BLM essentially washed their hands of the situation because of their agreement with APHIS.

The Government spray program effectiveness was measured by the numbers of acres sprayed rather than the effectiveness and timeliness of the spray applications. The last parcels of land sprayed in Minidoka and Blaine Counties were too late to be of great value to farmers who had already received flying adult hoppers weeks earlier. It's interesting to note that those who administer the wildlife refuge at Lake Walcott could, and if I can quote, "could see no benefit to themselves by allowing spraying of the desert lands under their control."

Therefore, the game refuge was skipped during the initial spray program in our county. Only after serious damage to crops surrounding the refuge and pressure from private people, the hopper committee and Senator McClure's office did the spraying happen.

By the time these lands were sprayed, any hoppers that were able to fly had left the desert lands for the greenlands, farming grounds, surrounding the refuge.

The question I propose is: Now can the fish and game administrators be so ignorant and callous of the needs of the area agriculture that they could have let this happen? Crops were destroyed, moneys expended to spray private lands because fish and game grasshoppers were allowed to migrate on the farm lands.

It was virtually impossible for APHIS to realistically estimate the epidemic because little reliable information was available then. Adequate monitoring of the desert populations did not occur even after the severe infestation of 1984. Because of the gross underestimation of grasshopper infestation, sufficient numbers of aircraft and insecticide were not available, retarding the spray program and allowing adult hoppers to escape to the egg laying for 1986.

What should have happened? The following:

One, adequate mointoring of desert population to provide essential data necessary to predict epidemics. It is the undisturbed lands that are the source of the devastate hordes of hoppers. And we would suggest that BLM can shift priorities for a 1- or 2-week time period to allow adequate monitoring. There are at least 30 to 40 BLM people in Burley and that many in Shoshone who could certainly shift their priorities for a short period of time. And in fact were supposedly trained, and which we saw no one out there.

Two, preliminary information on the location and state of readiness of aircraft in adequate numbers and size to spray all infested lands within 2 weeks.

Three, moneys allocated to make these planes ready to fly. Insecticide located and purchased if necessary to handle the acres infested based on the desert fall and spring monitoring data.

Four, border spraying around agricultural lands in advance of desert spraying to prevent crop damage from hoppers moving from the desert before being able to fly.

Five, completion of the spraying program before the hoppers reach the adult stage and begin flying from the Federal lands.

Six, respraying of those areas that have significant population later in the season.

Seven, no given tract limitation. If the Federal lands have a pest problem, it should be taken care of without having to be of any described size. The responsibility to manage public lands is not dependent upon the number of acres involved.

Eight, rule changes within APHIS, or whatever agency has responsibility, to allow a more rapid response time. APHIS explained it's not their fault they cannot control, because they have inadequate funding and people.

Nine, the abolishment of the idea that private individuals should have to pay for controlling pests that originate on Federal lands. It is beyond rational understanding why we, the impacted farmers, should have to pay for the cost of spraying when the federally owned lands are the source of the pests. And yet we were asked to and it was demanded up front. And that would happen in no other sector.

In conclusion, much of the success of this year's program has to be given to Senator McClure and Jane Wittmeyer for their diligence in carrying our case to APHIS.

The CHAIRMAN. Thank you very much.

Bill Hepworth.

STATEMENT OF BILL HEPWORTH, RUPERT, ID

Mr. HEPWORTH. Thank you Senator, for this opportunity. I'll try and get mine down in the 5 minutes.

There are three items that we of the hopper committee feel must be resolved and acted upon by the Federal Government. Two of these are short term in nature, the other is long term.

One, cancel the intended billing for Government spraying on private property.

Most, if not all, of those who prepaid for Government spraying have spend equal, if not greater, dollar amounts in their own private effort to protect their cropland before, during and even after the Government sprayed.

Some reports of the initial spraying indicate substandard spray results which caused reinfestation and additional private expenditures.

The earlier infestation of grasshoppers and late response of Government spraying resulted in many farmers having to spray their border several times to protect themselves from financial disaster.

The failure of APHIS to discharge their responsibility in 1984 was the single largest contributing factor to the infestation of 1985 and the expenditure of millions of dollars by private farmers to protect their crops from the hordes of grasshoppers. These expenses were in addition to the millions of dollars lost in crop destruction. There will be no taxes paid on these lost revenues.

It should also be noted that these types of infestations never have, cannot and never will originiate from private croplands.

Therefore, we propose that the funds collected for the Government spraying on private lands be returned to those who contributed it.

Two, the second item we propose is to declare this State a disaster area by the proper agencies and make low-cost loans available to those who have a need and qualify for assistance.

We, as members of the hopper committee, feel that morally the Federal Government should provide complete compensation for losses incurred by the private sector in this struggle against the grasshoppers. However, we also acknowledge the fact that risk is a part of all business ventures. We also recognize that our own apathy in this area of vital concern to agriculture has contributed to the present inadequacy of Federal land management. We, therefore, accept the fact that full compensation is not within the realm of reality without extensive litigation, but Government low-cost loans would be a welcome relief to many who have experienced unnecessary expenses.

Three, our third item of concern is the future and what Federal policy changes are needed to secure and protect our private croplands from the public lands. We submit the following suggestions for your consideration:

The Federal Government must recognize by statute it responsibility to manage public lands in the same manner as its private citizens are required by law to maintain their lands. This includes all forms of trespass, that is, grasshoppers, rabbits, noxious weeds, fire, and so forth.

Federal policy must reflect that the protection of private cropland is of equal importance to preservation of existing public lands.

Funding for these programs cannot be an excuse for failure to perform. Proper management of property is an acknowledged requirement of ownership.

Purchase and further designation of additional public lands should be contingent on present abilities to properly maintain and manage Federal properties.

The States must also recognize their pro-rata responsibility in maintaining State lands.

Private rangeland owners that operate within Federal and State boundaries should bear their full share of management responsibility. They should, however, be offered Government assistance in providing financial economies of scale.

The Federal agency charged with the operating authority to manage this policy must have permission to require other Federal agencies, State agencies and private owners to cooperate in any publicly declared crisis or disaster that involves said agencies and individuals.

We also suggest that in as much as private companies may be called upon to provide eradication or control equipment, that these private entities be involved in designing procedures and policies that will enable them to function efficiently and effectively in crisis situations.

A closing statement: A government that requires its citizens by law to manage its private properties in a manner which the government itself refuses to recognize as its own standard of management cannot expect the loyalty and support of its governed citizens. Thank you.

The CHAIRMAN. Thank you very much, Bill.

Gerald Tews.

STATEMENT OF GERALD TEWS, FILER, ID

Mr. TEWS. Thank you, Senator. I appreciate this hearing and bringing this emergency bill, as I would call it, to our attention here today.

My comments are along the lines of some questions. And we do need an emergency program, an emergency program only.

It is important that we do not rob funds from other programs. This we have to watch real closely along the lines of: Have a transfer of funds from BLM Forest Service in April, May, will they run short in September, October to run their normal business?

And then also we need to make sure the small outbreaks of under 10,000 acres can be treated. Last year they came in with 10,000 acres or larger and used the local spray contractors.

The formula of payment was satisfactory to me on private land. We put up considerable money on the private rangeland and also on our grain fields.

And then a question maybe someone could answer for the record here. How much private money was there put up within the State of Idaho to spray private land and also rangeland?

And then in section four of the bill we get into funding. It is a question to me, what's this really mean? Will there be personnel on the payroll with no emergency? What type of personnel do we need to train when we have APHIS people that can be brought in and manage from the ground level, and use our county agents and local people to coordinate the program?

As I listen here today of the many problems we have, but, you know, we've been in the range operation for 25 years. This is the third outbreak of grasshoppers. As we well know, if we have the right climatic conditions, we'll see no grasshoppers basically.

So we are talking of a very delicate balance here of how much money we appropriate. I think we need to make sure that we do not set up another bureaucracy, another agency, that we have several hundred people running when we have the opportunity to maybe beef up APHIS at particular moments through a little emergency funding.

And then in our operation we would have had a total disaster without the spraying, which was a result of the work and the cooperation of Senator McClure and Senator Symms and others, and with the staff people and, of course, certainly Jane Wittmeyer.

And I noticed and found that the program was hard to start and slow to start. And this is really why we need this kind of a bill, something that's up front, that can be there when needed. And after getting underway with countless meetings with the county agents and staffs, the planes began to fly.

One word was mentioned here by our State agriculture commissioner, Dick Rush. The word biological control just scares the H out of me. We have this wheat problem in Idaho and we've been in lawsuits and the like, and they throw out the word biological control to control the noxious weeds. Well, I don't know, I guess maybe I am old fashioned, but it looks like to me if we're going to have those biological control deals, we wouldn't have the grasshoppers or the weeds today. So we have to deal with these on what knowledge we have and the availability of chemicals.

And in our range and farming operations, we would have had a total crop failure. There's no question of that. We sat out over here on the Collister area and they moved in. They took our grain, ate it up like everyone else's, 25 feet a day and all that. And on our rangeland, private rangeland and on the BLM, they have done considerable damage, maybe 50 percent or maybe even more.

And I really strongly support the concept of this bill, Senate bill 1528. I know these are very hard times to come up with moneys. Everyone's short. Maybe through these emergencies, why, we can fund this and not let this happen again to this degree.

And again, I'd like to thank Senator McClure, Senator Symms, and others for having this hearing.

[The prepared statement of Mr. Tews follows:]

Tews Angus Farms, Inc.
Route 1 Filer, Idaho 83328
Phone 733-6409 or 326-5191

August 5, 1985

Senate Bill 1528

Transfer of funds and appropriations for prevention, suppression and control of grasshoppers and mormon crickets.

Sec 1. We need an emergency program, "emergency only".

Sec 2. It is important that we do not rob funds from other programs in APHIS.
Where would appropriations come from (general funds?) Will appropriations be yearly? And build a slush fund? If so, can this be used for other programs in APHIS? If so, how will the money be replaced?
How much will be needed to have a start-up fund?

Sec 3. We need to make sure that small outbreaks of under 10,000 acres can be treated and that, where possible, employ local spray contractors.
The formula of payment in Sec. 3. was satisfactory.

Sec 4. There is some question on what this really means.

1. Will there be personel on payroll with no emergency?
2. What type of personnel do we need to train when we have APHIS people that can be brougnt in and can manage from the ground level and use our county agents and local people to use and coordinate the program.
3. I feel that this can be adequately handled now and we need no funding for Section 4, therefore, I feel we should strike Sec. 4.

We would have had a total disaster in our area without the spraying, which was the result of the work and cooperation of Senators McClure, Symms, and others along with the staff people.

The program was hard to start and slow to start(this is why we need this type of bill), however, after getting underway with the money made available, countless meetings, which the county agents and staff so able set up, the planes began to fly.

Through the management of APHIS and the planning of their staff-people on the ground, we in our area were very pleased with the kill of grasshoppers.

In our range and farming operations we would have had a total crop failure if the spraying had not taken place. I strongly support the concept of Senate Bill 1528.

Again, thanks to Senators McClure and Symms and others for having this hearing.

Gerald Tews

The CHAIRMAN. Thank you very much.
Mr. Guerry.

STATEMENT OF MICHAEL A. GUERRY, BUHL, ID

Mr. GUERRY. Thank you, Senator McClure. I'd like to thank you very much for the opportunity to speak at this hearing today. As Senator McClure said, my name is Mike Guerry, and I'm a farmer and rancher and CPA in the Castleford area. With that being the case, I'll be representing myself in our farming operations and also the "71" Livestock Association, which is a grazing association that runs from Three Creek to Hagerman, and the Castleford Grasshopper Fund, which was a group put together this summer to spray 20,000-plus acres of private lands in the Castleford area.

To begin with, I'd like to note that other than for reviewing a copy of Senate bill 1528 and some very brief conversation I've had with McClure's staff, I don't pretend to know all of the workings that have taken place to work toward a better program for another year. But I do feel that 1528, with some of the possible exceptions that Gerald mentioned of no need for any additional bureaucracies, is a good bill in order to allow us to put on line a program and be ready. Because I feel like, and I think many others would agree, had this program taken place approximately 3 weeks earlier and been completed in about a 3-week timespan, many of the areas that were sprayed subsequently would not have each had to have been sprayed.

In going on a little further, just to mention a few topics of items that might or might not help to create a better program in the subsequent years. I think for one thing we need to fall back on some of the information and knowledge that was gained through the APHIS people, through our county extension agents, and all the tireless hours that they put in out there to develop some sort of a master plan to locate, prior to the situation's occurrence, some of the prime breeding grounds and some of the areas that are the most critical, so that we can develop a spray plan where those areas can be hit first and then move into more moderately affected areas.

I'd also like to see that all this type paperwork and everything be on hand with APHIS so that we didn't have to go through something like that prior to the programs coming on line.

Another item would be specifications for the operation of spray planes. There was a situation that developed in the beginning of limited amount of planes, contracts being of large acreages being given to one contractor, and in turn extending the period of time it was going to require to effectively get the spray job done.

I think that some type of a specification should be set up to be enjoined with this master plan, whereas, each contractor would be responsible for a certain portion of the most critical areas, and then move into more moderate and lesser areas, so that it could be accomplished in approximately a 3-week timespan.

Another situation that I think has been mentioned, and probably spoken on more than necessary for me to continue with at least, is the problem we had in acquiring the malathion. I think no one expected the thing to take the size that it did. I know we in our own situation had a very difficult time coming up with our malathion for spraying due to the fact that we were one of the latter blocks to spray. We weren't infested until late.

But I would like to thank in that instance the people from APHIS who in our instance were very good to work with, and that being Andy Adams, Roger Pollard, and their staff who helped us extremely in coordinating with us to get our block accomplished.

I think another very important step that should be looked at in another year's program is coordination between some of these private blocks, along with the Federal blocks, produce information as to where the spraying is going to take place, at what approximate times and whatnot, so that these blocks can be coordinated.

I think our instance is a very good example of what coordination can accomplish. We coordinated with the Federal spraying that went on around us, did our spraying at the same time, had a very effective kill, and the kill is still effective to this date. So I think it just goes to prove that coordination can do more probably for our program than anything else.

Another item that was mentioned by Dick Rush, the bee kills that developed. We had some in our own instance. It is a problem. I don't pretend to know the answer to it, but there probably will have to be some form of legislation developed to afford the bee people some assurance to allow us to go on with another program.

One last item I'd like to mention is the conservation that's evolved out of this spraying between 8 ounce levels of malathion which were used in the bureau ground versus more recommended 12 ounce levels, which I do understand is above the label. I think there is research out there that proves that these 12 ounce spraying efforts are extremely more effective in difficult areas. I would like to encourage any efforts that could be made from the congressional delegation to work toward possibly modifiying this label to allow us to use that in the instances where it would be required.

In closing, I would like to thank once again Senator McClure and his staff, especially Jane Wittmeyer, whose phone I rang off the wall for 3 weeks straight, and the rest of our congressional delegation. Once again, Roger Pollard and Andy Adams from APHIS. And a very big thank you to Bill Hazen, whose tireless hours out there are the only thing that made this program go. Thank you.

[The prepared statement of Mr. Guerry follows:]

TESTIMONY ON SENATE BILL 1528
PROVIDED BY:
MICHAEL A. GUERRY
REPRESENTING:
GUERRY, INC.
GUERRY BROS. FARMS
"71" LIVESTOCK ASSOCIATION
CASTLEFORD GRASSHOPPER FUND
AUGUST 7, 1985

SUBMITTED TO:
THE PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION
SUBCOMMITTEE OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES
C/O THE HONORABLE SENATOR JAMES A. McCLURE
361 DIRKSEN BLDG. ROOM 2106
WASHINGTON, D.C. 20515

AS A WAY OF INTRODUCTION, I AM A SHAREHOLDER AND DIRECTOR OF GUERRY, INC., A RANCHING CORPORATION, RUNNING SHEEP AND CATTLE, A PARTNER AND MANAGER OF GUERRY BROS. FARMS, A ROW CROP FARMING PARTNERSHIP, FARMING THREE HUNDRED AND TWENTY (320) ACRES OF GRAVITY IRRIGATED FARM LAND,AND A CERTIFIED PUBLIC ACCOUNTANT AND PARTNER IN GALLOWAY, GUERRY & CO. A CPA FIRM WITH THE MAJORITY OF ITS CLIENTS BEING IN THE FARMING AND RANCHING INDUSTRY.I AM ALSO, VICE-PRESIDENT OF THE "71" LIVESTOCK ASSOCIATION, A GRAZING ASSOCIATION IN THE THREE CREEK AREA ON THE IDAHO-NEVADA BORDER, ADMINISTRATOR OF THE CASTLEFORD GRASSHOPPER FUND, AN ORGANIZATION FORMED TO PUT TOGETHER APPROXIMATELY TWENTY-TWO THOUSAND (22,000) ACRES OF PRIVATE FARM GROUND TO BE SPRAYED FOR GRASSHOPPERS IN 1985, A MEMBER OF THE BOARD OF DIRECTORS OF THE MAGIC VALLEY CATTLEMEN'S ASSOCIATION AND A MEMBER OF THE FARMING AND RANCHING COMMITTEE WITH THE IDAHO SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS. I LIVE IN CASTLEFORD, IDAHO, WHICH IS LOCATED APPROXIMATELY THIRTY (30) MILES SOUTHWEST OF TWIN FALLS, AND ALL OF THE ABOVEMENTIONED BUSINESSES ARE HEADQUARTERED THERE ALSO. WITH THE EXCEPTION OF THE YEARS I SPENT AT COLLEGE AND TWO (2) YEARS I SPENT WORKING FOR KAFOURY, ARMSTRONG & CO., A CPA FIRM IN ELKO, NEVADA, PRIOR TO RETURNING TO THE RANCH IN 1980, I HAVE LIVED AND WORKED ON THE FAMILY FARMING AND RANCHING OPERATIONS ALL OF MY LIFE.

TO BEGIN WITH, I WOULD LIKE TO NOTE THAT OTHER THAN FOR REVIEWING A COPY OF SENATE BILL 1528, AND SOME CONVERSATION I HAVE HAD WITH SENATOR McCLURE'S STAFF, I AM NOT REALLY AWARE OF ALL THAT MAY HAVE TAKEN PLACE TO DATE IN WASHINGTON, D.C. TOWARDS WORKING FOR AN IMPROVED GRASSHOPPER SPRAYING PROGRAM ON FEDERAL LANDS FOR NEXT YEAR. WITH THAT IN MIND, IT IS QUITE POSSIBLE THAT I MAY COMMENT ON AREAS THAT HAVE ALREADY BEEN ADDRESSED.

IN REVIEWING SENATE BILL 1528, WHICH AUTHORIZES EXPENDITURES OF FUNDS BY BOTH THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF

THE INTERIOR FOR THE SPRAYING OF GRASSHOPPERS ON PUBLIC RANGELANDS, I FEEL THAT THE BILL PRODUCES A BASIS FOR HAVING FUNDS READY IN THE EVENT OF ANOTHER INFESTATION, SUCH AS THAT SEEN THIS YEAR IN MANY OF THE WESTERN STATES, TO ALLOW FOR AN IMMEDIATE START-UP OF A LARGE SCALE SPRAYING PROGRAM. THE IMMEDIATENESS OF WHICH I FEEL TO BE EXTREMELY IMPORTANT TO THE EFFECTIVENESS OF ANOTHER SUCH PROGRAM. IN GOING A LITTLE FURTHER, I WOULD ALSO LIKE TO COMMENT ON SOME OF THE OTHER AREAS I BELIEVE TO BE OF REAL IMPORTANCE TO ANOTHER FUTURE PROGRAM, SUCH AS THE ONE UNDERTAKEN BY APHIS IN 1985. SOME OF THESE BEING AS FOLLOWS:

I) MASTERPLAN:

THROUGH THE KNOWLEDGE GAINED DURING THIS YEARS PROGRAM OF AREAS OF CRITICAL CONCERN IN STOPPING THE ADVANCEMENT OF THE GRASSHOPPERS, I WOULD LIKE TO SEE A MASTERPLAN DEVELOPED THAT COULD BE USED IN FUTURE PROGRAMS TO COORDINATE FLIGHT PLANS THAT WOULD HELP TO SLOW THE ADVANCEMENT OF THE GRASSHOPPERS BY TARGETING THE MOST CRITICAL AREAS FOR IMMEDIATE SPRAYING AND THEN WORKING AWAY FROM THESE AREAS TO ADDITIONAL AREAS AS THE ADVANCEMENT CONTINUED. THIS PLAN WOULD NEED TO BE DEVELOPED TAKING INTO CONSIDERATION ITEMS SUCH AS, PRIME BREEDING GROUNDS, WEATHER CONDITIONS AND PREVAILING WINDS BUT IF DEVELOPED FOR INDIVIDUAL AREAS COULD BE A GREAT HELP TO THOSE ADMINISTERING THE PROGRAM IN THOSE AREAS.

II) PAPERWORK:

PAPERWORK ON THE FEDERAL LEVEL SHOULD BE DONE AHEAD OF TIME AND BE IN PLACE, SO THAT AT THE FIRST SIGHT OF INFESTATIONS OF A DEGREE REQUIRING SPRAYING THE PROGRAM COULD BE BROUGHT ON LINE IMMEDIATELY. THIS PAPERWORK SHOULD ALSO INCLUDE A CONTINUALLY UPDATED LIST OF AVAILABLE SPRAY PLANE OPERATORS SO THAT THEY COULD BE CONTACTED IN SHORT ORDER TO BID THE AVAILABLE SPRAY JOBS AND BEGIN OPERATIONS.

III) SPECIFICATIONS FOR THE OPERATION OF SPRAY PLANES:

IT IS MY OPINION THAT SPECIFICATIONS SHOULD BE DEVELOPED TO ADMINISTER THE OPERATIONS OF THE SPRAY PLANE OPERATORS TO PROVIDE FOR A MORE RAPID COMPLETION OF THE SPRAY AREAS. I FEEL THAT SUCH SPECIFICATIONS SHOULD CONTROL THE AMOUNT OF TIME ALLOWED BETWEEN ACCEPTANCE OF THE CONTRACT AND THE START-UP OF OPERATIONS AND ALSO TO CONTROL THE NUMBER OF ACRES ANY ONE CONTRACTOR IS ALLOWED TO COVER. ON THE LATER ITEM, I BELIEVE THAT INDIVIDUAL CONTRACTORS SHOULD BE GIVEN AN ACREAGE THAT COULD BE ESTIMATED TO BE COMPLETED IN A THREE WEEK PERIOD, GIVEN NO WEATHER INTERFERENCES, AND THAT THAT ACREAGE SHOULD BE MADE UP OF THE FIRST WEEKS SPRAYING BEING DONE IN AREAS OF CRITICAL CONCERN, THE SECOND WEEKS SPRAYING BEING DONE IN AREAS OF MODERATE CONCERN, AND THE FINAL WEEKS SPRAYING BEING DONE IN AREAS OF LESSER CONCERN, WITH THESE AREAS BEING DETERMINED FROM THE AFOREMENTIONED MASTERPLAN. AT THAT POINT, IF

THERE WAS ADDITIONAL SPRAYING TO BE DONE THESE CONTRACTORS WOULD BE ALLOWED TO BID THE ADITIONAL JOBS. ON THE OTHER SIDE OF THE COIN, IF THERE WERE NOT ENOUGH CONTRACTORS AVAILABLE TO COVER THE AREA REQUIRED, THEN I FEEL AT THAT POINT MILITATY PERSONNEL AND EQUIPMENT SHOULD BE MADE AVAILABLE TO COMPLETE THE JOB.

IV) CONTROL OF MALATHION:

DUE TO THE FACT THAT, WHEN A SPRAYING OPERATION OF THIS MULTITUDE IS BEGUN IT CAUSES SUPPLIES OF MALATHION TO BECOME TIGHT AND SUPPLIERS HAVE A TENDENCY TO TAKE ADVANTAGE OF THIS SITUATION THROUGH RAPID PRICE INCREASES, AND ALSO THAT, THE FEDERAL SPRAYING PROGRAM TENDS TO TIE UP THE SUPPLY OF MALATHION BEING PRODUCED BY THE AMERICAN CYANIMED PLANT IN NEW JERSEY, THE LARGEST ONE OF THE VERY FEW MALATHION PRODUCERS IN THIS COUNTRY, IT APPEARS THAT POSSIBLY IN AN EMERGENCY SITUATION SUCH AS THAT WHICH OCCURRED THIS YEAR THE FEDERAL GOVERNMENT MAY HAVE TO TAKE SOME FORM OF CONTROL OF THE CHEMICAL, IN ORDER TO ASSURE ITS TIMELY ARRIVAL AT A FAIR PRICE TO AREAS OF PRIVATE LAND BEING SPRAYED FOR GRASSHOPPERS ALSO. I SAY THIS WITH SOME AMOUNT OF HESITATION DUE TO MY STRONG BELIEF IN THE FREE ENTERPRISE SYSTEM, HOWEVER I DO KNOW THAT FACTORS OF THIS SORT ARE BEYOND THE CONTROL OF THE INDIVIDUALS BEING AFFECTED AND THAT THEY CAN WREEK HAVOC WITH A PRIVATE SPRAYING PROGRAM THAT IS TRYING TO BE COORDINATED WITH THE FEDERAL SPRAYING PROGRAM GOING ON AROUND IT. I'M AFFRAID I'LL HAVE TO LEAVE THE DECISIONS TO BE MADE IN THIS INSTANCE UP TO YOU.

V) COORDINATION OF ADJACENT PRIVATE AND FEDERAL SPRAY BLOCKS:

FEDERAL SPRAYING PROJECTS SHOULD BE COORDINATED, AS MUCH AS POSSIBLE, WITH ADJACENT PRIVATE SPRAYING PROJECTS TO INCREASE THE EFECTIVENESS OF THE SPRAYING BEING DONE IN BOTH AREAS. THIS COULD BE PROVIDED FOR BY INCREASED NOTICES BEING GIVEN THROUGH THE AVAILABLE MEDIA, GIVING DETAILED REPORTS OF WHERE THE SPRAYING PROJECTS ARE TO BE LOCATED AND ON WHAT APPROXIMATE DATES AND GIVING NAMES AND NUMBERS OF THOSE TO CONTACT TO DISCUSS THE POSSIBLE COORDINATION. I FEEL THAT THE COORDINATION EFFORTS THAT WERE MADE IN OUR AREA WERE A GREAT INFLUENCE ON THE LENGTH OF TIME THAT WE WERE ABLE TO MIANTAIN CONTROL OF THE GRASSHOPPERS AFTER THE SPRAYING WAS COMPLETED.

VI) BEE KILLS:

DUE TO THE EMMENSE EXPOSURE PROVIDED BY A LARGE SCALE SPRAYING PROJECT LIKE THE ONE THAT TOOK PLACE THIS YEAR, BOTH ON THE FEDERAL AND ON THE PRIVATE LEVELS, MANY BEE KILLS DID OCCUR. UNFORTUNATELY, THIS TYPE SITUATION BRINGS ABOUT ADDITIONAL PROBLEMS THAT WILL HAVE TO BE CONFRONTED IF ANOTHER PROJECT OF THIS TYPE IS TO BE UNDERTAKEN, IN THE FORM OF INCREASED LIABILITY INSURANCE RATES THAT WILL HAVE TO BE RECOVERED BY THE SPRAY CONTRACTORS THROUGH INCREASED PRICES AND ALSO, IN THE FORM OF INCREASED RESISTANCE FROM BEEKEEPERS TO ALLOW A PROGRAM OFF THE

GROUND FOR FEAR OF SUSTAINING ADDITIONAL ECONOMIC LOSSES. ONCE AGAIN, THIS IS A VERY TOUCHY AREA AND I WILL LEAVE THE FINAL DECISIONS UP TO YOU, BUT MY ONLY IDEA WOULD BE TO SUPPORT SOME TYPE OF LEGISLATION TO LIMIT THE LIABILITY OF THE SPRAY CONTRACTORS UNDER CERTAIN SPECIFICATIONS AND TO PROVIDE FOR SOME TYPE OF ASSISTANCE FOR THOSE BEEKEEPERS SUFFERING LOSSES DUE TO THE PROGRAM IF ADEQUATE EFFORTS WERE MADE TO PROTECT THEIR BEES FROM BEING AFFECTED.

VII) EIGHT (8) OUNCE VS. TWELVE (12) OUNCE APPLICATION OF MALATHION ON AFFECTED AREAS:

DUE TO MALATHION'S LABEL ALLOWING THREE (3) EIGHT (8) OUNCE APPLICATIONS IN A GROWING SEASON AND ZERO DAYS TO HARVEST DUE TO ITS MINIMAL RESIDUAL AND IN ACCORDANCE WITH THE UNIVERSITY OF IDAHO'S RESEARCH SHOWING A LARGE INCREASE IN EFFECTIVENESS WITH A TWELVE (12) OUNCE APPLICATION, I WOULD LIKE TO SUPPORT ANY EFFORTS THAT COULD BE MADE BY YOUR COMMITTEE IN PROVIDING FOR AN INCREASE IN THE LABEL IN THE AMOUNT OF MALATHION THAT COULD BE USED TO A TWELVE (12) OUNCE APPLICATION AND TO PROVIDE FOR APPROVAL OF SUCH AN APPLICATION BY THE LAND MANAGEMENT AGENCIES, SUCH AS THE BUREAU OF LAND MANAGEMENT.

IN CLOSING, I WOULD LIKE TO NOTE THAT THESE COMMENTS ARE NOT TO BE TAKEN AS A CRITISIM OF THIS YEARS PROGRAM, AS I FEEL THAT THE JOB THAT WAS DONE IN OUR AREA UNDER NOVEL CIRCUMSTANCES WAS DONE VERY WELL, BUT ARE TO BE TAKEN FOR WHAT THEY ARE, SUGGESTIONS FOR POSSIBLE IMPROVEMENTS IN A LATER YEARS PROGRAM THAT COULD HELP TO MAKE THE JOBS OF THE PEOPLE THAT ARE INVOLVED EASIER AND MAKE THE RESULTS OF THE PROGRAM EVEN BETTER. I WOULD ALSO LIKE TO EXPRESS A PERSONAL COMMENDATION, FROM MYSELF AND THE PEOPLE IN MY AREA, TO ANDY ADAMS AND ROGER POLLARD AND THEIR PEOPLE AT APHIS, TO BILL HAZEN, THE COUNTY EXTENSION AGENT IN TWIN FALLS COUNTY, TO ALL THE PILOTS AND GROUND CREW THAT WERE INVOLVED WITH THE PROJECT, AND TO YOURSELVES, FOR ALL THE EFFORTS THAT WERE MADE IN OUR BEHALF THROUGHOUT THIS PROJECT. THANK YOU.

SUBMITTED BY:

Michael A. Guerry

MICHAEL A. GUERRY

The **Chairman**. Thank you, Mike.

Jim Patrick.

STATEMENT OF JIM PATRICK, TWIN FALLS, ID

Mr. **Patrick**. Thank you, Senator.

Mr. Chairman, members of the committee, my name is Jim Patrick. I farm a family-size farm in southwest Twin Falls County bordering BLM rangeland. As I'm sure you're aware, grasshoppers have been a problem in this area the past two summers and possibly the next.

On June 3, I wrote a check and signed a contract for the spraying of my private ground with the APHIS organization. On June 26, it was finally sprayed, after the grasshoppers had destroyed many acres of beans and damaged the wheat and alfalfa crop. Between June 3 and June 26, I sprayed all of my crop acres at least once, and some of it four times with chemicals such as furadan, malathion, and sevin. Most of this would not have been necessary if the BLN had taken care of their problem.

It was obvious from the damage late in the summer of 1984 that we would have a problem this year; but most people felt the Government would continue to manage the BLM rangeland in a reasonable manner. I feel through the negligence of this Government organization I spent many dollars, much time and experienced extreme metal stress needlessly.

I sprayed an average of 3 to 4 hours each day for 15 days to protect myself from grasshoppers coming off the BLM ground. I had no problem controlling the grasshopper hatch from my own farm. I also feel if I had not paid the APHIS organization to spray my private lands, they would not have sprayed the adjoining BLM land.

Twenty-three days is a ridiculous amount of time for paperwork. I feel that the people from APHIS need to get out in the real world and see what it's like to try to survive only on their own abilities and not just hide behind paper messes and politics.

Many people in our area were frantic. Grasshoppers were moving in off the desert areas and running over us. Every day you could see more damage and there was nothing you could do to stop them. There were miles and miles of grasshoppers, and all we could do is spray what came across the fence.

Why does the Government bureaucracy treat us like this? If they want to own these vast areas, why don't they take care of it? We are just trying to survive hail, drought, wind and poor commodity prices. We don't need any more problems.

We tried to find out about spraying schedules or even if we were going to spray, and the only answer we could get was "contact your county agent." County agents were doing everything they could; but they could find out no more about what was going on than we could. It seemed as if the people in APHIS were above the common man and we should not interfere, even though our very survival depended on their actions.

I would like to see a better system than monitoring the desert conditions and a more responsive organization. One year should be enough advance notice for anyone.

The **Chairman**. Thank you, and I want to thank all of you.

I might just make one or two comments with respect to the testimony of the panel. Some excellent suggestions, some really pertinent observations have been made by several of you. But I would note that while our problem in Idaho is greatly exacerbated because we have so much public land, it is not just a public land problem. We have infestations in North Dakota and South Dakota and Texas this year in areas where there are no public lands. So these outbreaks can occur at other places.

And we're trying to devise a national policy that will apply to our own conditions certainly, but also that can apply elsewhere as well. We would not have done as well this year if it had just been Idaho. In my contacts with Secretary Block if I had had no other State affected, I wouldn't have had nearly as much success as the fact that there were several States affected.

I guess that's my way of saying unless it is a national policy that will allow itself to be applied in several different situations, we'll not have the political support that's necessary to pass legislation in order to get that program funded. There are a variety of different situations that we have to contend with, and we're going to continue trying to do that.

Thank you all very much for your testimony. It's been very helpful to me.

We will next hear from the panel of Marvin Hempleman, John Adams, and Con Alder.

I might just note while those gentlemen are taking their seats at the witness table, because the question was raised by one of the witnesses earlier about emergency loans disaster designations. I think this is the most current information. Twelve counties in Idaho have been declared disaster areas due to grasshoppers. No assessment will be made on the damages until crops have been harvested. That means after the harvest season, and that means sometime this fall.

Farmers must have a 30-percent loss or more to qualify. Funds are available, and that disaster assistance will be farm operating loans at 10½ percent; at 5 percent up to $100,000; at 8 percent from $100,000 to $500,000, which is the upper limit under the emergency designation. The farmers will be permitted to apply up to 8 months after the disaster.

I might note that if any of you have any problem with that, or if you have other information, I would welcome that as well, because I know we'll have to be working on that as well.

Marvin Hempleman.

Mr. HEMPLEMAN. Thank you, Senator, pleasure to be here.

The CHAIRMAN. Thank you.

STATEMENT OF MARVIN HEMPLEMAN, COMMISSIONER, TWIN FALLS COUNTY, ID

Mr. HEMPLEMAN. Rather than being repetitious, everybody knows about all the problems, and the farmers are much closer to it than I am, so what comments I have are rather concise.

I'm a commissioner of Twin Falls County. The county commissioners have worked with the grasshopper situation from arms' length, mostly because of having a well-organized county agent's office and people who are dedicated to the agriculture in this area. We were kept well informed as to what was going on, taking place, and who was doing what as far as organizing and doing actual spraying and how that was accomplished. We were even in one of the chase planes watching a spraying operation so we could see first hand. Had to get up early in the morning to do that.

It seems that the same story is being talked about in 1984-85. The actual spraying program was too late and much damage was already taking place. It appears that the grasshoppers are best started in their grasslands, usually Federal, and surrounding areas, and any other lands that are untilled. Ditch banks, anything like that seems to be a breeding place that they start. And when these areas have dried up or they have been eaten, well, then they move into our bean, and hay, and grain crops.

The situation boils down to the need for continuing surveys, both fall and spring. According to our county agent, this has not really been an effective thing so far. And it should be placed so that the spraying plan can be implemented within days, and not have to wait for weeks to have the job done. Time is of the essence when it comes to saving any portions of our crops.

So the commissioners in the office for Twin Falls County would urge the survey teams to be in place for continued monitoring both fall and spring, and if funds could be in place so that quick action could take place.

One further comment from something that I believe a gentleman from APHIS over here was talking about, county agents doing spring surveying. That office, as far as I'm concerned, is loaded to the gills now with work. And they should not be considered as a source unless some sort of funding could be placed in there to help them. County government is being inundated with jobs but no funds. So don't add to it unless you can help them with the funds.

Thank you very much.

The CHAIRMAN. Thank you.

John Adams.

STATEMENT OF JOHN R. ADAMS, COMMISSIONER, CASSIA COUNTY, ID

Mr. ADAMS. Thank you, Senator.

My name is John Adams, commissioner from Cassia County. At this time the commissioners from Cassia County want to thank Senator McClure for the opportunity of testifying at this hearing.

The economy of Cassia County, ID, depends upon successful agriculture.

In the past 2 years, they have been disastrous. Farm commodities have been depressed. In 1984, the county suffered severe flooding in its two agriculture valleys, the Raft River Valley and the Goose Creek Valley. This year, in 1985, the county has suffered from a severe attack from grasshoppers.

About two-thirds of the land in Cassia County that surrounds the Raft River and Goose Creek agricultural valleys is Federal lands administered by the BLM Forest Service.

Hordes of grasshoppers hatched out on these Federal lands and entered the private ranches and farms eating all the green vegetation in their paths.

Not only have the hoppers financially ruined some individual ranchers and/or farmers, but it has put a serious burden on the county as a whole.

When a farmer cannot produce a profit because of a loss of crops to the grasshoppers, he cannot pay his county property taxes. When property taxes are not paid, our schools, hospitals, road districts, fire districts, et cetera cannot function. And this is the case in Cassia County. The grasshopper problem has put a serious burden on all the 20,000 citizens of Cassia County.

We appreciate what action has been taken by the Federal Government in setting up an emergency program to try to combat the infestation by grasshoppers in 1985. However, this program was too little, too late. Thousands of dollars were lost to grasshoppers before the spraying of Federal lands was started.

Many farmers and ranchers of our county are seriously hurt financially. Some may be put entirely out of business because the grasshoppers were allowed to come from the Federal lands and infest the private lands. The economy of Cassia County has been seriously hurt.

As one of the commissioners of Cassia County, I emphatically point out that it is essential for the Federal Government to legislate laws or a law that will provide both the management and money for both the appropriate Federal agencies, namely at this time the BLM and Forest Service, to control any predator, grasshoppers, rabbits, whatever, so they do not become a threat to the welfare of the people and/or their crops and land in their respective counties.

It seems that these Government agencies, BLM and Forest Service, should have the ultimate responsibility for the management of these lands and not be able to transfer it to another agency, such as perhaps has been done with APHIS. BLM and Forest Service presently have the manpower and equipment that could be modified to manage problems such as grasshopper problems.

In order to avoid repetition, I refer you to the testimony of Cassia County Agriculture Extension Agent Richard M. Garrard. Mr. Garrard worked closely with and directed the spraying program for Cassia County in 1985. His testimony will point out some shortcomings of the 1985 program, and give positive recommendations for future programs on grasshopper control.

At this time we wish to thank you as commissioners for the opportunity for appearing at this hearing. Thank you.

The CHAIRMAN. Thank you. Con Alder, please.

STATEMENT OF CON ALDER, COMMISSIONER, ONEIDA COUNTY, ID

Mr. ALDER. Senator McClure, I'm grateful for the opportunity to come and testify in this hearing today. My name is Con Alder, I'm a county commissioner from Oneida County.

I would like to reiterate the things that have already been mentioned here this morning. I think they're just a multiplication of things that have taken place across the southern part of the State of Idaho. In Onieda County, there was numerous thousands of acres sprayed by the APHIS Program under the APHIS Program, and they did kill a lot of grasshoppers. However, the program was too late in getting started. There was countless acres of crops that were destroyed before the spraying program was conducted and was taking place.

I think that is one of the main concerns of the people in our county, lateness of its starting. And after it was started the program was carried out efficiently and quite effectively. There were a lot of grasshoppers that were killed. There are areas, however, that are still problem areas that ought to be sprayed in followup programs. And as I understand it, the funds have been used, there is no program available to continue to conduct the spraying program in areas that have a strong infestation of grasshoppers left.

Again I would like to take the opportunity to thank Senator McClure and also the APHIS Program for the work that they did do. However, I think it should be handled more efficiently and faster to begin with. Thank you.

The CHAIRMAN. Thank you all three. I appreciate your testimony.

We'll next hear from the county agents: Bill Hazen, Mir-M Seyedbaghri, Brian Finnigan, Richard Garrard, Gene Gibson, and George Gardiner.

Mr. Hazen.

STATEMENT OF WILLIAM F. HAZEN, ON BEHALF OF THE TWIN FALLS COUNTY EXTENSION SERVICE

Mr. HAZEN. Thank you, Senator McClure, for this opportunity. I will not try to go over what has already been discussed.

There is no doubt we had some problems. Time was one of the things. The suggestion that I have I hope will help in rectifying the situation, or in development of some new plans that maybe will assist us in being able to move quicker.

To be effective on this grasshopper control effort, I believe it's imperative that we do something as far as a fall survey to get an idea of the dispersion, the area where the grasshoppers are, and certainly the numbers. I also believe that a spring survey with trained personnel needs to be conducted so we know when they're hatching, to follow them to see if we're getting the kind of hatch we think, looking at egg masses, et cetera in order to effectively know when the time should take place of any spraying program.

In that regard, there's been a lot of mentions today about the county extension office doing surveys. I have an alternative that I would like to suggest. Within the Federal Extension Service and within each State is a program called IPM, Integrated Pest Management. These people are trained to do surveys of insects. They're currently doing surveys in such things as a western bee cutworm, the bee aphid, and all other insect problems related to agriculture. I would suggest that this program be tapped both at a national level and at a State level to provide the kind of service that is needed for controlling and setting up the programs to control grasshoppers, or at least telling us where they are and telling us how many there are.

I have some concern regarding the collection of funds, private funds, that we collect from farmers and ranchers. To me it seems inconceivable at this time that we're asking them, as Jim Patrick said, the 3d of June to have his money in, it's deposited, he's paying interest on it, and it's a good chance it will be October or November before these funds will be asked for by the Federal Government. It seems to me that we should be able to find out some other kind of a way that we can effectively tie up these funds without actually costing the people money until in fact the money is asked for.

Another concern that I have regarding funds is if we had survey data that said we were going to have to treat an area, and if we in fact could approach the farmers in March and say, yes, it looks very likely that this area will need to be treated, let's get the program together in case we've got to move quickly, we could in fact get the funds, but not really have them costing any interest on it until we do determine that yes or no the program is a go.

Then we can do something. Then farmers are more likely to put their money into a program knowing full well if it's not needed it's not going to be spent and they can get it right back. Then it gives us some planning time when we have planning time. We don't have planning time in June to conduct that kind of survey. I'm confident there's some areas that were treated that shouldn't have been treated. And I'm confident there's some areas that we should have treated we didn't get to simply because we didn't know the full situation.

Thank you.

[The prepared statement of Mr. Hazen follows:]

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To: United States Senate, Subcommittee on
Public Lands, Reserved Water and Resource
Conservation of the Senate Energy and
Natural Resource Committee

Subject: Senate Bill 1528 Grasshopper Suppression Funds

The following comments are based on the experiences of grasshopper control efforts in Southcentral Idaho during 1985.

The Twin Falls and Jerome County Extension offices were involved in setting up eight rancher-cooperator committees (4 in Jerome County, 4 in Twin Falls County). Our involvement was the organization of the committees, determining the areas to be sprayed daily, answer the concerns and complaints and survey the results.

The programs were carried out and did greatly reduce the problem on the treated land. Several situations within the program operation need to be reviewed and plans made that would save great anxiety for the participants and make the operation more professional. Those situations are: 1) surveying of the area, and 2) contracting with cooperators and with sprayers.

Without surveyors to gather the population data in the fall it is impossible to know where to look in the spring. This requires we wait until the grasshoppers have hatched before we begin planning the spraying program. When this happens we find daily that the area in question gets larger. This causes delays in getting all of the necessary paperwork completed for a coordinated effort. With private landowners involved they are not sympathetic that the neighbors many miles down the road did not have the problem on the same day and dislike waiting a few more days in order to coordinate the entire block. This underlines the need to have time in conducting an educational program on the biology of grasshoppers and what it requires to control the situation with the physical and fiscal resources available.

Fall surveys to gather population dispersion and numbers are needed. Spring surveys to confirm infestation, hatching dates and potential spraying times are also needed to have an effective control effort.

Rancher-cooperator contracts and how funds are collected and used are areas of concern for some people. With farmers operating on borrowed money, it seems that the system of collecting funds and holding them in trust to be requested at a later date is inconsistent with good business management on their part. This delay of 4 to 6 months (the amount of time from when rancher funds are collected to when final settlement is made) could save farmers considerable interest and possibly less initial cost if the spray project is less costly than anticipated.

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The basic program is sound; however, the time delay in receiving funds only after the problem is recognized delays the planning time needed to efficiently handle the scope of these projects. Proper surveying and planning would also allow programs to be conducted on the biology of the situation and not simply on who completed their work first.

Respectfully Submitted,

Wm H. Hazen

Wm F. Hazen
University of Idaho Cooperative Extension Agent
Twin Falls County

Dale Beck

Dale Beck
University of Idaho Cooperative Extension Agent
Twin Falls County

Bob Ohlensehlen

Bob Ohlensehlen
University of Idaho Cooperative Extension Agent
Jerome County

WH:DB:BO:jlk

The CHAIRMAN. Thank you.

Mr. Seyedbaghri.

STATEMENT OF MIR-M SEYEDBAGHRI, MOUNTAIN HOME, ID

Mr. SEYEDBAGHRI. Mr. Chairman, ladies and gentlemen, this is a great pleasure for me to be over here today. As you understand from my accent, I think understanding my accent is much easier than getting some Federal funds for spraying the grasshopper. So please bear with me.

Mr. Chairman, I have been active in grasshopper control since 1984. On September 28, 1984, I made a committee called grasshopper task force committee. And on February 22, 1985, we invited Mr. Roger Pollard from APHIS to give us some guidelines.

On March 8, we had another meeting. And since I was the first to run into a grasshopper infestation at the Owyhee County—we were waiting for Government to appropriate some money for us. And before that I was calling your office all the time. So as soon as they appropriated the money on May 10, we did the disaster.

On May 11, I invited Mr. Roger Pollard, and we had over 100 farmers and ranchers in my county. So we elected our county coordinator, then I started mapping and we mapped. Within 1 week we finished all the maps we were making for spraying. As a necessary spray program, it was very satisfactory because we were the first to start spraying. And I organized part of Owyhee County, too.

We sprayed about 383,920 acres of BLM lands in Elmore County, 47,360 acres belong to State land. In Owyhee County we sprayed about 148,480 acres, that 4,480 acres belonged to the State land. I sprayed about 40,000 acres on Ada County. The reason I did was because the grasshoppers were migrating from that area and I think that's very probably a good way to do that. Overall, we sprayed over a half-million acres totally; 572,440 acres we sprayed.

I did a little survey and research in different areas. I have kind of a random sample. We got between 87 to 98 percent kill. I can't say that was the best. And I think it's been very smooth and everything was all right. But the reason we did because I preplanned in advance. And I believe everybody does that, so the program would be very satisfactory.

And we had a few cases with bees that since the Sevin-4 oil had the high residuals, I heard some news and I was present someplace that they had killed some bees. So we have to be very careful about some of this.

And I have some suggestions for the Government or whoever was in charge of the planning. I'm suggesting they should preplan. They have to plan for organizing their resources in advance. On implementation, hopefully—I'm really glad that you created a trust fund between farmers and ranchers this year. Last year we didn't have that one. They sprayed 400,000 acres, and after talking with farmers they weren't very happy. But this year hopefully they are very happy and glad about that.

IMPLEMENTATION

I would like everybody to know their duties, actual assignment, their responsibilities. They should know exactly what they are doing, the different government agencies, where, when, and how they should act. Somebody should reinforce, you know, reinforce committeemen. Somebody should do that.

And I believe some kind of program they have to have, they have to make alternatives for specific plans of actions. Sometimes like where we have areas, especially areas that were less than 10,000 acres blocked, and we were having a little hard time. But hopefully Mr. Roger Pollard help us so we sprayed those things.

There was other locations like Mrs. Frances Field mentioned about spraying the borderline. I really am in favor of that. I think we can do a better job doing that one.

Since I have this opportunity I would like to thank a few people. For a while I thought the county agents are the ones that work about 14 hours a day including Saturdays and Sundays. But every time I had contact with Mrs. Frances Field—there was a time at 1:30 a.m., she used to call me, early in the morning, and she was working very hard. I really appreciated her help. I appreciate your help because we used to call, my county used to call your office for all the help. The director of the State department of agriculture was a great help for us. My county commissioners and especially my county coordinator, I want to really thank all of them for helping me reach all the goals and objectives. Thank you.

The **CHAIRMAN**. Thank you very much.

Mr. Finnigan.

STATEMENT OF BRIAN FINNIGAN, BLACKFOOT, ID

Mr. **FINNIGAN**. Senator McClure, panel, ladies and gentlemen, I also appreciate the opportunity to appear before this group.

Senator, I feel that the bill that you have initiated is essential, perhaps not in its present form, but with modifications. And I hope that the suggestions you're hearing today will certainly be included in that.

It is essential because as it's been outlined here before, one of the major problems was adequate funding being made available before anything could even begin to be done about the control program.

Also I'd like to begin by thanking APHIS for their efforts. I know that especially a few individuals put in a great amount of time and a great amount of effort above and beyond the call of duty in my estimation to work through their own particular kind of bureaucracy and problems and get quite a bit of spraying done and accomplish a lot of things that saved literally millions of dollars of crops.

I was directly responsible or involved with a contract which involved 500,000 acres to be sprayed. It also included part of Power County and Bonneville County. Actually about a little over 400,000 acres was finally sprayed.

The problem in our particular county is that over 300 miles of cropland is exposed directly to BLM, if you just go around the borders all the way around the county and in areas that are totally surrounded by BLM.

And as has been emphasized or pointed out before, we had a very unusual year as far as grasshopper populations are concerned. Virtually every area that could support grasshopper eggs produced grasshoppers. And it seems like they all survived, because a lot of them had to be sprayed over and over again. Of course, the problem was magnified by our very good weather for grasshoppers. Hopefully, we won't have the situation occur again.

Just to reverse again and reemphasize some of the problems with getting the spraying done, we were basically informed by APHIS May 16 that we needed to have a survey of our areas, form farmer committees, establish blocks, collect the money on the cost-year basis, deposit it, and then notify APHIS that the money was deposited, and then a contract would be offered apparently through their Minneapolis office, and a private spray company then would be awarded the bid and then they'd show up.

These requirements were met basically by June 10. The aricraft were assigned to our area to begin spraying June 24, which is I guess relatively quick compared to some of the other counties, about 12, 14 days. We had seven aircraft, two with guidance systems which worked quite well in our area.

I spent approximately 200 hours and 3 weeks totally on grasshopper problems. And I'm sure that other county agents spent more time than that. They got a little earlier start than we did. But maybe it didn't last quite as long, I don't know.

In general, the control was adequate in our area. Malathion is capable of doing a good job if it's monitored correctly. Even at the 8-ounce level we had mortality counts approaching 99 percent for the best; and in some areas, for one reason or another that's yet to be explained, it was as low as 40 percent kill.

However, as a kind of gross estimate, our particular county suffered at least $700,000 crop loss that is not redeemable. This is not very great considering the total amount of agriculture in our county. But the reason that it was so low is that most farmers sprayed more than once in order to control the grasshoppers on their own property. We estimate that this cost of spraying alone was somewhere between $400,000 and $800,000.

Some farmers sprayed their borders seven times. One farmer said that he has spent $35,000 spraying borders in his fields for grasshoppers alone, and we are averaging somewhere between $2,000 and $4,000 for at least 200 farmers.

Most spraying in our county was not done timely enough to prevent the damage. Border respraying was needed. And we feel this is something we do need to talk to APHIS about if we're going to continue this type of program. Perhaps there can be some modification of the rules on border respraying near cropland.

APHIS was operating at full speed, but spraying occurred 2 to 4 weeks after our request for a contract. We feel that that time lag definitely needs to be shortened.

A current survey in our county indicates there are adequate numbers of grasshoppers to lay eggs that can cause a potential problem next spring. We have some survey results in already, and they will be continuing to go on. So we're looking forward to problems next year if the weather conditions are adequate for the grasshoppers.

Again, I want to emphasize that a bill like this and additions to the bill are essential for protection in Idaho agriculture. It needs to be adequately funded much more in advance than it was this year. And as many others have already indicated, we do need greater amount of surveys. We need to have contingency plans ready to implement at the time damage begins to occur or before, based on the surveys.

And again, I'd like to suggest that if county agents are to be used in the future working with APHIS, I would like to see a dialog between Cooperative Extension and APHIS officials to smooth out some of the plans of implementing these programs.

Someone else mentioned that the money that had been collected on the cost-year basis by the farmer committees and deposited be returned back to the farmers. I'd like to add my approval to that and our committee would agree with that 100 percent. We collected about $39,000 for cropland just on our committee.

And again, I'd like to add that because of the time constraints in the county agents' offices, that the county agent specifically be not responsible for making the surveys unless there are funds available where he could supervise a surveyor. And this can work out very well. You don't need to have someone who in our official capacity is actually making the counts, but he can very easily supervise one or more individuals to make the counts, and this would certainly expedite this survey process.

Thank you for the opportunity.

The CHAIRMAN. Thank you.

Mr. Garrard.

STATEMENT OF RICHARD GARRARD, BURLEY, ID

Mr. GARRARD. Thank you, Senator McClure, for this opportunity to put in our little two bits' worth in helping you to make this bill a little bit more effective.

In my opinion, the Federal grasshopper spraying in Cassia County was a success, in that I don't believe there would have been a blade of green grass or any other green vegetation in the Raft River Valley if we hadn't had a total spraying of these areas. In the Raft River Valley we're looking at a situation where there's 8 or 9 miles of BLM land on each side of about 2 miles of farmland going down that valley. And the grasshoppers moved off from these areas to the point that people had to run their windshield wipers to be able to see to go down the roads in this particular valley.

And so it was a success in that; but unfortunately, nearly all of these farmers in this area are going to suffer between a 20- to 80-percent loss in their crops. I've been in grain fields of late which will not pay them the cost of harvesting because they've lost so much of their grain because of this. But I feel that APHIS, especially the Air Force—we'd again like to thank you for bringing the Air Force into Cassia County. Farmers, committees, and all the personnel need a great vote of thanks for all of their dedicated hours and the efforts that they put in.

But the real problem was we were 2 to 3 weeks too late. And really we only served as a Band-Aid on the problem. This is really rough as far as the financial and emotional strain that was placed upon these farmers. There's going to be several of them that are going to lose their farms over this. I don't see any way that they're going to be able to save them.

It's really rough on a person to be out with another grown man as you watch these grasshoppers come across and eat 10 acres of beans, and even dig into the ground a quarter of an inch eating the roots of those beans, and see this man cry because he knows everything that he's worked for for 30 or 40 years go up with a cloud of grasshoppers, and know that it's really the blame of the Government due to mismanagement of their land to bring this about.

The large migration of these hoppers moved off of the rangelands into the crops long before the Government finally realized the severity of the problem and had planes in the air spraying this land. And this made it necessary for farmers to spray their lands. Most all of our lands were sprayed anywhere from two to seven times, with a lot stronger chemicals than malathion, things such as Furadan, malathion, chemicals such as this.

And I feel that the agencies, Government agencies, such as the Forest Service and the BLM should have the ultimate responsibility for the control of the pests on their lands. And I feel this would probably require a contingency fund to care for the monitoring, spraying, and overall control of the pests that endanger neighboring private lands, as well as the vegetative growth on their own lands. It's totally wrong that farmers suffer financial distress to the point of losing their farms because of this mismanagement of Government lands.

I'd like to point out some of the problems now that I feel that we ran into in the program that we had. No. 1 being the bidding process. I figure there was 2 weeks that was wasted that a lot of the farmers received a lot of their damage.

We heard a little bit about the rate of malathion at 8 and 12 ounces. The Air Force as they were calibrating their planes put on some rates that were way too light. Colonel Terry made mention of this, that there just wasn't quite enough calibration. There we were receiving about a 30- to 40-percent kill. Then they recalibrated their planes as they flew over the mountains. And, of course, if you'd flatten out those mountains, you'd have to have more chemical. So they upped their chemical and then we'd have a hot spot or two, and send them off onto some flat land while they were calibrated for mountain ranges, and they were somewere between 10 and 12 ounces then, and we got kills up as high as 98 percent. So we do know that by upping this rate, we can get a lot better kill. And I feel that was one of the problems that we had.

Another problem we had was that the Government would not spray their own lands unless some of these areas zagged into private land, even though it was cropland, paid for. Well, APHIS and everybody else told us that this 8 ounces wouldn't control on croplands. But yet we had to have their money in the bank in order to get this Government land sprayed. And I think this was totally wrong.

And it was very frustrating as we were going night and day, sometimes as long as from 3:30 in the morning to 12:30 at night, and then to watch as you drove by and see BLM out exercising their fire crews, running them up and down the road doing calisthenics to get them ready to fight fires. It seemed like they could have utilized their manpower a lot better in surveys and things such as this. It was frustrating to us.

And then another problem that we ran into, we had two small planes as we started off spraying a little bit of borders and some protection, and we had a better job done by these little planes than we did our large planes. I feel that we need to use more small planes in our spraying program. I don't think large planes is, by any means, the answer for this. I feel it we correct some of these problems, though, we could have a tremendous program.

In summary, we might just say that if the weather conditions do not control the grasshoppers this fall and next spring, we're looking at about four times the number of grasshoppers and infestations we had this year. This means that we'll have complete destruction in Cassia County if this happens. And the Government must wake up to the urgent situation and put the responsibility where it belongs and fund the program adequately if agriculture is to survive in Cassia County. Thank you.

The CHAIRMAN. Thank you.

George Gardiner.

STATEMENT OF GEORGE GARDINER, POCATELLO, ID

Mr. GARDINER. Senator McClure, I'm happy to be here today. I want to thank you for the work that your office manager, Mike Field, did in the Pocatello area and the support we've received. I think I've seen Mike more this year than I've seen any other office representative or any representative for quite a long time, and we do appreciate it. Kind of feel like we're working together. We hope this relationship will continue even without the grasshopper program so that agriculture can be supported by Federal legislation. I also received support from the other legislators who had offices in Pocatello and I appreciated that as well.

It's been indicated that there will be a survey conducted this fall to determine about how many grasshoppers there will be in the egg-laying areas. To me, this is the time our program should start to control the grasshoppers for the coming year. I don't think we need to wait until March, and that was the first reports that I received regarding the grasshopper nits, to do that control work.

Second, in Bannock County we have strip farming with Federal lands in between. The first part of the season for control of grasshoppers was spent on discussing with Roger Pollard and another individual involved trying to get some sort of program so that we could spray smaller areas than 10,000 acre blocks. We did get that later in the season where they had 100,000-acre contracts and they allowed us within a 75-mile radius at some point and they allowed us to go ahead. This is the only salvation we had in Bannock County, even though we have a lot of cropland. We could not operate, we do not live in the desert.

One of our problems, and I think this is the problem of many other areas, in mountainous areas with a lot more vegetation, it takes more than 8 ounces of malathion to control grasshoppers. This has been brought out before. And I see no reason why we should not up this amount. Our kills ran from about 35 percent to about 75 percent, and they used small aircraft. I do not feel that we used enough malathion to do the job.

It seems strange that the farmers should pay for having their land sprayed for grasshoppers that migrated from Federal lands, particularly croplands where they get very little good out of it anyway because there isn't enough years to do the job for grasshoppers that are already there. We really need to look at this thing, I think, and if we're going to charge the farmer $3 an acre for spraying, then we need to provide him with a service to control his grasshoppers.

Because of the limitation of 10,000 acres at the beginning of the season, most of my farmers had already sprayed four or five times before we could actually get a program in where we could go ahead and spray this strip-farmed area with Federal lands.

You've mentioned specifically that we can declare disaster in cases where there's 30 percent losses as far as farmers are concerned. You know and I know that farmers are also stressed 30 percent before they ever go into grasshoppers. Another 30 percent is going to put them in the position of losing their farms. And we're staring to have farm auctions in Bannock County. This is where the farmland has been taken over by creditors and sold because the farmer was unable to pay his bills.

I think we really need to look at the farmer's condition as well as just the 30 percent. I have yet to see a disaster program where if you waited until 30 percent, you've not really helped the farmer that much. He's just about out the door anyway. Let's help the farmers that can take some help and go ahead with it.

I work with the beekeepers of southeastern Idaho. I presented them, I have the list of the beekeepers there, with the facts of what was going to take place as far as the bees were concerned and spraying of grasshoppers, particularly after a meeting in Boise. Told them to get in touch with the county agents and keep them informed. But I don't think we kept them informed as to what was being used to spray with, nor do I think that we keep them informed as to how they can best protect their bees.

I know one colony of bees sprayed in Bannock County, I contacted them personally, told them what was taking place, what we needed to do and the individual says, George, I'm helpless. I can't do a thing about it. All I can do is tell you to go ahead and spray, I'll have to take my licks. If they have to take their licks for grasshoppers coming from Federal land, certainly we need some assistance to help them get back in business after the thing takes place.

I wish to thank you for this opportunity, and hope that we can do better. But I again insist that we start a grasshopper control program for 1986 in the fall of 1985, and that means right after Pollard completes the grasshopper inventory.

By the way, I had an individual given to me green, couldn't hear very well, came into the office one day and told me he was my grasshopper surveyman. I had to confirm the fact that he was even supposed to be there. I trained him for a week, worked with him a little bit, and he did a very effective job of maintaining a survey in Bannock County until they took him away from me.

Another problem that I faced was every time I tried to call Roger in Twin Falls, the phone was busy, day in and day out. I'm sure Roger was busy, but they set up a satellite office in Pocatello. I was able to get in touch with the man that they used there and get some effective work done. Public relation was very poor when the phone was never answered.

Thank you.

The CHAIRMAN. Thank you very much.

I understand that Mr. Gibson was unable to be here. We'll receive his testimony when it's submitted to us and be made part of the record. Thank you, gentlemen, very much for your testimony.

We'll next hear from David Mabe, John Falkner, and Dr. Ron Bitner.

For the information of those of you who are here and got a witness list, we have another panel of representative beekeepers. And for those of you who are interested in that aspect of the problem, I would invite you to stay until we have heard that panel as well. It does not appear on the witness list.

Dave.

STATEMENT OF DAVID MABE, ON BEHALF OF THE PUBLIC AFFAIRS AND MARKETING DIVISIONS, IDAHO FARM BUREAU FEDERATION

Mr. MABE. Senator McClure, legislators and other participants, my name is David Mabe, and I'm with the Public Affairs and Marketing Division of the Idaho Farm Bureau Federation.

The grasshopper infestation in Idaho is a serious problem with devastating economic effects for Idaho's farmers and the State's entire economy. The Idaho Farm Bureau Federation would sincerely like to thank the Idaho delegation, Senators Jim McClure and Steve Symms, and Representative Larry Craig and Richard Stallings. Without these individuals' efforts to control the grasshopper infestation, we would probably still be trying to get one of the agencies to take responsibility to find the funds to spray. All things considered, when the spraying finally started, it went well in most areas with the estimated control rate in many areas very high.

The Idaho Farm Bureau and its membership of 23,500 has a policy regarding State and Federal land management. Policy No. 67 states in part, "We support legislation that requires State and Federal Governments to manage their lands so that no harm is done to adjoining lands, crops and animals."

We feel that one of the problems associated with the control of grasshoppers on Federal lands in the past 2 years has been a lack of clear policy forcing the Department of Interior and the Department of Agriculture to be financially responsible for pests on their lands under their jurisdictions.

Senate bill 1528 should help to clear up this problem by placing the financial responsiblity for controlling grasshoppers on BLM lands with the Department of Interior. The responsibility for control is still with the Plant Health Inspection Service in the Department of Agriculture. We feel that this is probably the best system for control because use of the existing APHIS agency will save duplication of programs in the Department of Agriculture and the Department of Interior. If Senate bill 1528 passes, when a problem arises APHIS will not have to "steal" the money from another program they have to try and control grasshoppers here in Idaho.

Farm Bureau policy No. 67 also encourages that a Federal land and water conservation fund be considered as a possible source of funds for the control of pests on Federal lands.

Farm Bureau Federation would like to encourage the Idaho delegation to look further into how the money will be transferred and how long it will take once a problem arises. We hope that Senate bill 1528 will allow the funds to become available much faster than they did in 1984 and 1985. If the money had been available sooner in 1984, the problem that we had this year may not have been as great in many areas.

The grasshopper problem in Idaho, like most pest problems, is cyclical in nature. After we control this infestation, we will not be finished with the problem forever. For this reason we would encourage the Idaho delegation to watch the appropriation for APHIS, so that they are able to provide adequate staff and monitor and handle pest problems when they arise.

We would also encourage the Idaho delegation to consider changing the working "grasshoppers" in Senate bill 1528 to "pests" on Federal lands, thus broadening the application to other pests not covered under the Animal Damage Control.

We thank you for this opportunity to comment.

The **Chairman**. Thank you very much.

I understand that Dr. Bitner was not able to be here and Paul Akichika is prepared to testify on behalf of the Idaho Alfalfa Seed Commission.

STATEMENT OF PAUL AKICHIKA, ON BEHALF OF THE IDAHO ALFALFA SEED COMMISSION

Mr. **Akichika**. Thank you, Senator McClure.

We really appreciate the work that has been done this year to kill the grasshoppers, but one observation we have in Owyhee County is as a seed grower, we have a unique situation where we pollinate our alfalfa seed with leaf cutter bees. And these leaf cutter bees are very susceptible to the pesticides that will kill grasshoppers.

We have to have these grasshoppers taken care of probably by June 20, and no later, otherwise our pollinators are out and will be killed by these pesticides, and there's no way to replace these bees once this happens. We do not get a crop without the pollinators, which is a very unique situation.

And there are several large farms who do produce alfalfa seed along the Owyhee Mountains in Owyhee County which have been sprayed, and I understand there were a few bee losses. So I would like to suggest that we have a program that can be taken care of in our particlar area by June 20. This will alleviate a lot of hard feelings about bee kills and take care of most of the grasshoppers.

Thank you, Senator McClure.

The **Chairman**. Thank you very much.

John Faulkner is not here. We'll receive the testimony from the Idaho Woolgrowers and make it a part of the record when received.

Thank you very much, gentlemen, for your testimony. I appreciate it. I might just note that I have requested $25 million to be put in the APHIS contingency fund for grasshopper control for fiscal year 1986. The Appropriations Subcommittee has not yet considered that request to determine whether it will be included or not. But I think if the past tells us anything, it may well be necessary for the 1986 program.

We'll now hear from Mr. Tom Hamilton, Albert Belliston, and Mort Krahn. Mr. Hamilton.

STATEMENT OF TOM HAMILTON, PRESIDENT, IDAHO BEEKEEPERS

Mr. HAMILTON. Thank you, Senator McClure, for inviting us here. We're pleased to be here at this hearing. We know we must work together and plan together to help prevent the disastrous situation that occurred in 1985.

The beekeeper cannot survive if large pest infestations are not controlled. But beekeepers cannot survive if bee colonies are killed in large numbers or massive geographic areas as they were in 1985. All honey producers throughout the southern part of the State were affected by the spraying of grasshoppers.

Areas and producers experienced a wide range of damages to their operations. Beekeepers in the south-central area suffered significant bee losses, from 80 to 100 percent of their colonies, by Government and/or private spraying operations. The southwest part of the State experienced a range from 20 to 90 percent of their colonies.

I would like to outline some of the problems. The first problem was the immense size of the spraying projects which made it impossible to find safe places to move your colonies to.

We had little or no advance notice of spraying dates in some areas. Some areas just depend on the cooperation of the county agent and other applicators. But in several instances it failed.

Spraying during adverse conditions such as high winds and high temperatures caused severe bee losses.

No control of private applicators that were reacting to the extreme pressures by the growers to alleviate the grasshopper problems. This caused severe problems. They were crowded for time and they sprayed during daylight hours, which was a severe loss to our honey bees.

There was incorrect chemical selections, methods of application, and improper equipment being used by private applicators and also by the Government applicators.

The short-term consequences is, first, the loss of this year's honey crop, which is the beekeepers main source of income in Idaho. Then the expenses of moving the bees to avoid spray applications, also the failure to execute pollination contracts which caused beekeepers to move additional bees into these locations, and also not receiving payments that were agreed upon in the contract.

The long-term effects of severe spray problems as we had in 1985, bee colonies that are severely damaged by spray will not survive through the winter, which creates large expensive next spring to rebuild the beekeeper's operation.

Most producers in Idaho depend on California almond pollination contracts for their livelihood. With the initial loss of colonies and weak colonies they will experience large financial losses.

Without a strong honey bee industry, many vegetable fields and fruit crops will suffer due to the lack of pollinators.

Other members of this panel will give you some of the specifics and some of our suggestions.

I do have a question for you, Senator McClure. When you mentioned the disaster funds, I heard no reference to any appropriation of money to beekeepers, or any available method to beekeepers to alleviate their disaster. And I also wonder why that when we are appropriating and budgeting for funds, why some of the consequences aren't budgeted for.

Thank you.

The CHAIRMAN. Thank you.

Next we will hear from Mr. Belliston.

STATEMENT OF ALBERT BELLISTON, ON BEHALF OF BELLISTON BROS. APIARIES, INC.

Mr. BELLISTON. Thank you, Senator. We appreciate having an opportunity to air some of the problems that we as a bee industry face in a public forum. It's an opportunity that we haven't been afforded lately.

To start with, my name is Bert Belliston, and I'm a part owner in a bee operation, a family-owned and operated bee operation out of Burley. At the present time, we have 6,050 colonies located in 8 Idaho counties and 1 Utah county. On June 1, before the spraying started, we had approximately 6,450 colonies.

I'd first like to summarize some of the costs we incurred this year and some of the losses we've had and expect to have as a direct result of spraying grasshoppers in Idaho and Utah.

We started moving our bees on June 1 and moved almost every day until July 29. We moved a total of 4,412 colonies of bees to get them out of areas where grasshoppers were to be sprayed. As a result of this moving, we have incurred costs and losses in excess of $31,000. The costs and loss breaks down as follows: The direct cost of moving, $8,824; a 10-percent loss of colonies due to killed or damaged queens in colonies with too few bees to survive winter equalling $11,250; and loss of the pollination fee in California for the lost colonies totalling $11,250. Two other losses directly resulting from moving these colonies, while being incalcuable, are without a doubt very substantial.

In many cases, the bees we moved were in an area where they were gathering a lot of surplus honey. In almost all cases, the bees had to be moved to areas that were producing very little, if any, surplus honey. Also, when you move bees to a new area, it takes time for them to recover from the move and get oriented in the new location. This causes lost foraging time leading to a decline in any production.

The next area to cover is the direct kill of bees from the pesticides used to control grasshoppers. In our operation, we had 847 colonies that sustained a severe bee kill. From these colonies we expect to get no surplus honey, and many of these colonies will not produce enough honey to make it through the winter and will have to be fed. We had 831 colonies with a heavy kill. Some of these colonies will get a little surplus honey, but it will be very little. We had 1,389 colonies that had a moderate kill. These will produce about a third as much honey as the bees that had no spray kill. We had other bees that received some spray kill which reduced their honey production, but on a much smaller precentage. We estimate our total loss in honey production to be $87,195.

As mentioned earlier, some feeding is going to have to be done. And in the long term, we'll have smaller colonies of bees overall, which will reduce the fee charged in California this winter to pollinate the almond crop.

The total amount we calculate we'll lose because of spraying for grasshoppers this year is in excess of $126,000. Without some form of compensation, it is very doubtful whether we can continue to get the financing needed to continue in our business.

We have some suggestions we feel will minimize bee losses resulting from pesticide spraying in the future.

First, we feel a beekeeper needs to be hired to consult with the agencies conducting the spray programs, such as the one this year. This will assure that the beekeeper's point of view and problems are known by those conducting the spray programs.

Second, we feel a beekeeper needs to have sufficient notice before spraying starts, which was not always the case this year. The length of notice can be debated, but we feel should at a mimimum be 72 hours. I might point out that in our case we had very good cooperation from out county agent this year, and we had as much notice as he had of what area was to be sprayed. But in some counties we understand that was not the case.

Third, we feel as much spraying as is feasible should be done from late evening to early morning. Depending on the kind of chemical used, bee losses could be cut dramatically if spraying could be done at night.

Fourth, there needs to be as much cooperation as possible between applicators, the farmers and beekeepers. If this cooperation existed, there would be much less bee loss.

Fifth, there needs to be the establishment and funding of research programs to develop chemical and nonchemical agents to control pests, such as grasshoppers, that are not toxic to bees.

Sixth, with any program as large and widespread as the program in Idaho this year, there is going to be some bee losses. We feel there needs to be some kind of indemnity program in place to cover these losses. There will without a doubt be many beekeepers put out of business by the spray program this year if compensation is not made. If this occurs and continues in the future, the effect on U.S. agriculture will be disastrous. The feasibility of an insurance program similar to the hail or flooding insurance programs now in place needs to be explored.

Because of the tremendous amount of foreign imports of honey and the softening of the domestic market by the Commodity Credit Corporation's honey giveaway program, our industry's future as a whole is in jeopardy. If severe bee losses from Government or private spraying is added to these problems and allowed to continue, we as an industry have no future.

I would like to point out, it may sound like that we as an industry are not in favor of the spray programs, which is not the case. We got around to a lot of areas and we saw the grasshopper problem this year and realize the problems the farmers had. We were in favor of the program because without a program we would not have gotten any crop because the grasshoppers would have taken all of our foreaging. So we are in favor of the program. We're in favor of cooperation and things to minimize the loss.

Thank you.

The **Chairman**. Thank you.

Mort Krahn.

STATEMENT OF MORT KRAHN, TWIN FALLS, ID

Mr. **Krahn**. Senator McClure, I'm glad you're here because I wanted to get this off my chest. I'm a beekeeper from Twin Falls. I run about 3,500 hives, have a family of eight, and we run the bees into Gooding and Lincoln Counties, where massive spraying took place. And I can tell you, I'm a little bit bitter about it all because the bees were sacrificed for the grasshoppers. And I know what my losses are, no honey crop. For the past 4 years, I've grossed about $130,000 a year in honey. I paid my taxes, $20,000 a year, and now I don't know what I'm going to do because I have no honey crop.

I would be glad to do like the farmer did, pay $3 a hive, if I could be guaranteed a honey crop. At least they have few bales of hay and a few sacks of beans. But we don't have anything. There's four of us over in these counties and we're left with nothing. I'm not sure just what we're going to do. And unless we're reimbursed, I don't think it will do us any good to get a Government loan, because it still has to be paid back. No matter if we get a Government loan or not, the 8 percent still has to be paid back. And if I walk into the bank and ask the banker for another $130,000 for the next year, I know what he's going to say to me.

I moved for about 6 weeks, moving my bees around. If I moved out of the private applicator's spraying area, then I moved into that Government spraying area. If I moved out of the Government spraying area, I moved into the private applicator spraying area. This is what happened to us in these counties. We had no place to go.

I went to the BLM and I went to the county agent. We tried to get a place to take our bees, and the BLM man said, "Sure, pick a place here on the map wherever you want to pick them." I said, "No, I don't want to pick a place; I want you to pick a place and tell me that you're not going to spray there." We never got that consideration.

I know there were some people that had leaf cutter bees were given consideration. Their areas were sprayed, they were able to move in their leaf cutters—everything went smoothly for them. We never got the same consideration. Most of the maps we got were violated; the boundaries on the map in Gooding and Lincoln County were violated.

When it came down to spraying the grasshoppers, the bees suffered. We got sprayed; and consequently, there's no honey crop for us.

I needed to get that off my chest, and I'm glad you're here.

The **Chairman**. Thank you very much. And I thank you, gentlemen on the panel. I think you stated the problem that you con-front. I don't know what the solution is going to be. We've had indemnity programs in the past, and they're hard to maintain from a political standpoint. I'll not promise you, but I know that there will be an indemnity program now. But certainly one that we're going to look at very carefully, and hopefully, you can get some relief. But I don't want to overstate that case because it's not going to be easy. Thank you.

Are there any others present in the room who would like to make a statement?

If you would, state your name and address for the record, please.

STATEMENT OF GOLDEN MILLET, MARSING, ID

Mr. MILLET. Senator McClure, I'm Golden Millet, I'm a commercial beekeeper in Marsing. With the other beekeepers, I, too, sustained some major losses. Agriculture and farming and people, as a rule, don't realize the importance of pollinators and honey bees on the crops. I had 1,200 colonies on a red clover pollination contract to pollinate some red clover for him. He had sprayed and everything was taken care of—we moved the bees in. The Government came in and sprayed a fair distance from where the bees were, but because there was so much pressure to apply the spray, they were spraying with too many winds in a manner that the spray drifted a great distance.

And I just got the results back yesterday, the lab said they were killed with Sevin-4 oil. Sevin-4 oil kills the bees, and bee, that left the hive for 14 days so we couldn't move any more bees onto that crop of red clover to pollinate it. Not only did I lose the bees, and as has been mentioned the honey that they would have produced, but also the farmer lost his clover crop.

As it looks at this point, the farmer is going to sue me for roughly $200,000 for loss of the clover crop. I've lost the bees, you know, I can't stand the lawsuit of $200,000. If the spraying doesn't put me out of business, the lawsuit will.

I think that what's not realized is the importance of the honey bee and leaf cutter bee, as far as that goes, on agriculture. Without the honey bee, there would be no alfalfa seed or clover seed to plant.

As was mentioned, there would be no nuts, almonds or fruit, because they pollinate it. And so in destroying the bees to save the grasshoppers, we destroyed probably more than the grasshoppers would have consumed. Because, you know, every time you eat an apple, an orange—you know, all fruits and most vegetables directly come back to the fact they had to be pollinated sometime by the bee. And I think in looking at this indemnity, I think we need to realize the bees do play an important part of agriculture.

The CHAIRMAN. Thank you. Pass the mike to your right.

State your name and address for the record, please.

STATEMENT OF DONALD G. SUCHAN, PAUL, ID

Mr. SUCHAN. Don Suchan, Route 2, Paul, ID, and I am a farmer there.

Senator, I would like to express my appreciation for the work that was done on the grasshopper control problem this year.

This year's problems certainly points up the need for permanent legislation to be in place such as your bill 1528. We were late in the spraying this year, and consequently, we have a potential for repeat next year.

We farm within a half-mile of BLM managed lands. It would be impossible to control grasshoppers on our private land without the control on the surrounding BLM lands.

That's all of my prepared statement. I do have another comment I'd like to make, and I say somewhat tongue-in-cheek. It says, good judgment comes from experience and experience comes from bad judgment. We shouldn't have too much of a problem next year.

The CHAIRMAN. Maybe we ought to stop right there.

STATEMENT OF BRUCE NEWCOMB, BURLEY, ID

Mr. NEWCOMB. My name is Bruce Newcomb, and I reside at 1626 Monroe, Burley, ID.

First of all, Senator, I'd like to thank you for this year's efforts that you made to control the grasshopper infestation of southern Idaho.

My purposes for testifying here today are two-fold. One, to point out the cost of controlling grasshopper infestation to us, my brother and myself, and the consequences of the yields on the fields neighboring Grovernment land. Two, the potential of problems for next year.

This year my brother and I spent $22,000 just for flying on needed chemicals for grasshopper control. We spent an additional $9,000 just for the chemicals. We had to spray lands bordering the Government lands as much as four times, and we still lost crops to grasshoppers. How much we don't know until we complete our harvest, but we know it's substantial. The damage to private rangeland and BLM grazing where we run cattle was devastating because of the lateness of the Government spraying.

The potential for the problem next year is severe as I know by observation of many grasshoppers in the adult stage before spraying commenced. One article, and I think this was a quote from APHIS personnel, was that it was estimated that if the Government got 90 percent control and 10 percent survived overall, and with the proper weather conditions, the infestation could be six times worse than it was this year. With the low commodity prices that we now presently have, this is an expense that we can ill afford.

I think it behooves all concerned to implement a bill that enables the Government to control pest on their land on a timely basis. And I thank you for your concern.

The CHAIRMAN. Thank you very much for the statement. Is there anyone else present who would like to make any comment for the record?

If not, let me close by again saying thanks to all of you for taking time to be here. I know that during the season it's hard for people in agriculture to spend this much time at a hearing. I recognize the nature of the problem and your presence here to testify to that.

I also want to extend a word of thanks to CSI for making these facilities available. I think people in the community sometimes take for granted an institution as this, but it's a real asset to the community, and the ability to be able to conduct a hearing in this kind of surrounding. It's an example of the value of this school to the entire community. I want to thank CSI and their staff for making this available to us today.

And just one other word of thanks aside to my own staff, Tony Bevinetto, who is the subcommittee staff of the Energy and Natural Resources Committee in Washington, DC; and Jane Wittmeyer, who many of you know, at least from the other end of the telephone, who is also here today and who will help me follow up on some of the excellent suggestions that have been made and questions that have been asked.

And last, but certainly not least, this record is important because it will provide the basis upon which other members of the committee will form their judgment as to what ought to be done, and members of the Appropriations Committee and hopefully people within the administration determining what the policies should be.

Without good reporters we have no record, and we've had good reporters this morning. And I want to note somebody whom you've seen at work, but perhaps didn't really consider an essential part of this proceeding today, Dee Ann Wagner and Sheri Schneider, who have made this record possible and will preserve it for the use of others in the future.

If there is nothing further to come before the subcommittee at this time, the subcommittee will be adjourned.

[Whereupon, at 12:50 p.m., the hearing was adjourned.]

APPENDIX

Additional Material Submitted for the Record

Congressman
RICHARD
NEWS STALLINGS
2nd Congressional District — Idaho
1233 Longworth House Office Building — Washington, D.C. 20516
Telephone: (202) 225-5531

August 7, 1985

In early June, Congressman Richard Stallings outlined the need and mechanism for changing the funding formula for grasshopper control. In his column prepared for the weekly newspapers in the Second District, Rep. Stallings said:

> "In this age of technology where we can pluck satellites from outer space, put men on the moon, transplant vital organs to sustain lives---it doesn't seem unreasonable to think we can control such plagues of insects, the memory of which goes back to biblical times."

Congressman Stallings, in that column, praised the administrators and staff technicians of APHIS and tried to call attention to the critical lack of funding that agency has received. He then made the contrast between the present funding formula for fighting forest fires and the laborious task Idaho faced this year in obtaining funds to combat the grasshopper infestation. Congressman Stallings continued in that column:

> "Can you imagine the public outcry if the U.S. Forest Service had to wait for the release of funds from the Secretary of Agriculture before it could dispatch firefighters, airplanes carrying fire retardant and other supplies and equipment to battle every forest fire? Of course that wouldn't work. The Forest Service and Congress long ago reached an agreement that allows for immediate reaction to such emergencies."

Congressman Stallings went on to explain that a Fighting Forest Fires account was established in the Forest Service budget with an initial annual appropriation of, say a million dollars, at the beginning of the fiscal year. Additional costs for fighting fires are charged against other accounts in the Forest Service Budget. At the end of the fiscal year, these charges are added up and reimbursed through a supplimental appropriation from Congress. It was designed that way because there is no way that Congress or the Forest Service can predict when fires will break out and what the cost of suppression will be--nor can the Department of Agriculture predict how much the cost of grasshopper control will be--in both cases the costs will vary by region and season. In both cases the needs are immediate.

Rep. Stallings continued in his June statement . . .

> "The dollars we are seeing spent on spraying were also obtained through the supplemental appropriation process . . with one important difference. APHIS could not act without the Secretary of Agriculture making a political decision to release the money from other accounts. It simply should not operate in this fashion. There is too much at stake for the grasshopper control program to be subject to political whims. The citizens of Idaho should expect a better federal response to problems originating on federal land than we have seen in the past."

For these reasons, stated by Congressman Stallings in early June, he is one of the original co-sponsors of HR3134. This legislation will effectively take the appropriation of funds for grasshopper control out of the political arena and provide for more timely response to future infestations. HR3134 is the House companion bill to Sen. McClure's grasshopper control bill, Senate Bill 1528 and Rep. Stallings is committed to the passage of this legislation.

Thank you.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
FORT HALL AGENCY
FORT HALL, IDAHO 83203

August 20, 1985

Honorable James McClure
Federal Building
250 South 4th Avenue
Pocatello, Idaho 83201

Dear Senator McClure:

Enclosed you will find written testimony regarding the 1985 Grasshopper Control Program conducted through APHIS and comments on Senate Bill 1528.

This testimony was prepared by Delbert Farmer, Shoshone Bannock Pesticide Regulation Control Officer and Norman V. Bird, Bureau of Indian Affairs Soil Conservationist, both of whom were involved with the 1985 Grasshopper Control Program. This document was reviewed by the Land Use Commission of the Shoshone Bannock Tribes.

Attached as exhibits are tribal resolutions passed by the Fort Hall Business Council pertaining to the spraying activities.

The 1985 spray program was beneficial. If the pest persists, we anticipate and support another program in 1986.

As trustee of the Fort Hall Reservation and on behalf of the Shoshone Bannock Tribes, I present this testimony.

Sincerely,

Thompson
Superintendent

Enclosures

FOREWARD

The 1985 Grasshopper spraying program on the Fort Hall Reservation involved issues of aerial spraying and chemicals as much as the pest. A 15 year ban on aerial applicatin faced adovcates of grasshopper control. Safety and close monitoring were factors presented to the Fort Hall Business Council to assure minimum dangers during the operation. The Fort Hall Reservation lies in the heart of agricultural enterprises in eastern Idaho. Grain, potatoes, livestock, and grass consuming wildlife are around and on the Reservation. The potential damage by grasshoppers was evident and something had to occur.

The Fort Hall Business Council, historically, lifted the prohibition on aerial spraying only for the APHIS sponsored program on a one time basis. As a governmental decision this action was proper and sound.

Should there be another crisis in 1986, the same steps will have to be followed. Facts and basis for a large scale spraying program will have to be presented again to the Fort Hall Business Council. And, the Council will probably rely on the experiences and results of this year's operation as basis for a decision.

LANDS, IRRIGATION, AND SPRAYING ON THE FORT HALL RESERVATION

Land Status The Fort Hall Reservation is considered federal lands by virtue of the government trust responsibilities under Indian Treaty Agreements and Executive Orders. The Bureau of Indian Affairs, as trustee, oversees land use and transactions. On behalf of the Tribe, the Land Use Commission enforces the Land Use Ordinance of the Fort Hall Reservation.

Land Classifications Roughly, the land classifications and percentage of lands on the Fort Hall Reservation are as follows:

LAND	PERCENTAGE
Range & Timber	63.7
Dry Farm	5.3
Irrigated Farm	18.1
Wild Land (U.S. Gov & Amer. Falls Res.)	6.2
Other (roads, trails, & town)	4.4
Mining	2.3

Total acreage on the Fort Halll Reservation is approximately 543,933.

Irrigation Since the 1960's vast acreages have come under irrigation, due to irrigation projects and sprinkler irrigation systems. Wells and ponds were utilized as water sources thru electrically generated motors and pumps. Electricity as well as water was .plentiful and economical. Primary agricultural commodities produced on farmlands are grains and potatoes. Due to the revolution in irrigation systems agricultural lands bordered up to rangelands throughout the Reservation.

Ban on Aerial Application On June 10, 1970, the Fort Hall Business Council declared a total moratorium and prohibition against aerial application of any substance whatsoever on vegetation or lands situated within the geographical boundaries of the Fort Hall Reservation. This ban resulted because numerous incidents of aerial sprayers; endangering the health, safety, and welfare of Reservation residents, livestock, and wildlife.

Recognizing the Grasshopper Emergency

1984 - During 1984, farmers in various locations in Idaho publically cried out for state and federal land managers to combat the grasshopper infestations steming from state and federal lands. On July 31, 1984, the Secretary of Agriculture released $400,000 in emergency federal funds to spray infested public lands in southern Idaho.

Grasshopper Meetings On May 16, 1985, Norman Bird, Delbert Farmer, and LaVerne Sheppard, Sho-Ban News, attended a meeting at the Federal Building, Pocatello, conducted by Roger Pollard, State Director APHIS concerning the grasshopper situation. Topic covered were grasshopper life cycles, survey reports, ULV malathion, spraying costs, federal funding, and local committees.

Local Meetings In a meeting concerning the situation, Norman Bird, Delbert Farmer and the Land Use Commission decided surveys should be taken to show rangeland infestations. Norman Bird prepared maps and located survey sites. Twenty-one sites were surveyed and surveys showed infestations to be more than the eight grasshoppers per square yard on most locations.

FORT HALL BUSINESS COUNCIL ACTION

Grasshopper Issue As time passed grasshoppers became a hot issue throughout the state. Television, radio, and newspaper exposed the situation constantly. Here, farmers called the BIA and the Land Use Office for assistance, since rangeland bordered their farms. Federal funds became available on a first come first serve basis. The question here on the Reservation was whether the Tribe would allow aerial spraying, the only feasible way to spray rangelands. Already, much time and effort had been exhausted on surveys, informing the public on malathion, and other pertinent matters. If additional work was to be done it became apparent that the Council needed to decide whether they may lift the ban.

Council Lifts Ban On June 10, 1985, the Land Use Commission, Norman Bird, BIA, and Delbert Farmer, Pesticide Regulation Control Officer, met with the Fort Hall Business Council. Maps, grasshopper surveys, final Environmental Impact Statements on malathion, and APHIS contract guidelines were presented to the Council for consideration in lifting the ban and allowing aerial application of malathion under the APHIS program to combat grasshoppers. The Council voted 5 to 1 in favor.

Resolution The Fort Hall Business Council passed the following Resolutions pertaining to grasshopper control under the APHIS program:

Resolutions	Purpose
LWOR-85-9033A	Lifting the aerial ban, allowing the use of malathion, designating aircrafts, and monitors, describing sensitive areas and waterways to be sampled.
LWOR-85-9073	Granting Central Air Service, Tucson, AZ and Heliget of Eugene, OR permission as applicators.
LWOR-85-9118	Authorized 25,000 acres to be resprayed.
LWOR-85-9136	Authorized new area to be sprayed with Carbaryl Sevin 4 oil.

Pocatello Airport On June 19, a Resolution was signed permitting the manager of the Pocatello Municipal Airport to supervise aerial spraying at the Pocatello Municipal Airport and the Old Airport using malathion on a one time basis.

1985 SPRAYING PROGRAM

Meeting June 22 Pocatello Municipal Airport. This meeting was conducted by Roger Pollard. County Agents, Norman Bird, Delbert Farmer, aerial applicators, APHIS, and the U.S. Air Force were present to hear pre-spray instructions. Pilots, aircraft availability, chemical resources, headquarters, coordinators, and other pertainent information presented.

Pre-Flight Conference Delbert Farmer, Norman Bird, Cecil Breland, and Sam Hernandez met with applicators to discuss spraying areas and sensitive issues. Both Helijet and Central Air Service present. Maps were given to both outfits.

Pre-Application Flight Norman Bird and Delbert Farmer flew with Central Air staff to survey the areas to be sprayed by the two DC-4's. Landmarks, residences, streams, boundaries were observed.

Warning Signs Signs were placed on all roads within the spraying area by Cecil Breland and Sam Hernandez, BIA staff. These signs warned people of the danger of malathion to automobile paints.

Water Sampling As stipulated to the Fort Hall Business Council, fish carrying streams were sampled for malathion residues. We have not seen or heard of dead fish or other related catastrophy.

Chase Planes In conjunction with the DC-4's, APHIS provided chase planes to monitor the spray efforts. Norman Bird attended these flights and determined borders, sensitive areas, and shut-off times for the applicators. This element was very critical and useful to the success of the DC-4's.

Observations Observations on the ground was provided by Delbert Farmer, Cecil Breland, and Sam Hernandez. Observations included shut offs near streams, residences, roads, and borders. These observations were from ground and without contacts with pilots.

Boundary Marking During the latter phase (eastern Reservation) markers were place so pilots could tell boundaries.

Helicopter Aproximately 20,860 acres of sensitive area was sprayed by helicopter. Cecil Breland accompanied the Heliject pilot in their spraying efforts to assure proper spraying in designated areas.

APHIS Staff At the onset, the APHIS staff was cordial and informative. Although their phones were busy, phone conservations were productive and the estimated timing of contracts and spraying accurate. The ground staff at the airport was available and assisted with decision making.

Bee-Keepers Norman Bird, BIA, contacted and notified legitimate bee-keepers of the spraying activities.

Timing For the Fort Hall Reservation, the timing of spraying operations was considered good. Each effort coincided with the elevation and grasshopper growth. Elevations varied from 4500-6000 feet in Power County to 4430-6020 in Bingham County, and 5500-6000 in Caribou County.

RECOMMENDATIONS

We recommend the use of chase planes when ever possible. Although markers and landmarks are available, the chase planes insure added accuracy of spraying. Both chemical were effective. However, there is less worry (danger to automobile paints) when Sevin 4 oil is used.

SENATE BILL 1528

We have reviewed this bill as proposed. The wording "grasshopper" and "mormon cricket" is appropriate. Involving other pests would endanger the objective of controlling grasshopper or mormon crickets. We support and endorse this proposal.

RESOLUTION

WHEREAS, by Ordinance S4-70 adopted by the Fort Hall Business Council on June 10, 1970, the Council declared "commencing June 10, 1970, a total moratorium and prohibition against aerial application of any substance whatsoever on vegetation or lands situate within the geographical boundaries of the Fort Hall Reservation", and this prohibition, which was enacted to protect the health and safety of all Reservation residents and lands, has remained in effect since then; and

WHEREAS, the United States Department of the Interior then recognized and continues to recognize the retained sovereignty of the Shoshone-Bannock Tribes to prohibit or regulate the aerial application of insecticides, pesticides, herbicides and other substances on all lands and water within the Fort Hall Indian Reservation; and

WHEREAS, there now exists an impending, acute emergency in that the most extensive invasion of grasshoppers in several decades now threatens imminent serious economic damage or destruction of extensive rangelands and agricultural crops within the Reservation; and

WHEREAS, after careful evaluation it is deemed necessary in order to avoid or minimize such impending economic damage or destruction that the aerial application ban imposed by Ordinance S4-70 be modified to meet this emergency, subject to all limitations, protections and procedures hereinafter defined; NOW,

THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, as follows:

1. Ordinance S4-70 shall be amended to permit aerial application of Malathion ULV within the Reservation on a one-time basis only to combat the current emergency, but such application shall only be permitted in accordance with the limitations, protections and procedures detailed herein. Otherwise, the total prohibition on aerial spraying of any substance on-Reservation shall remain in full force and effect.

2. A single application of Malathion ULV concentrate in amounts not to exceed eight (8) ounces per acre shall be authorized upon all lands within the Fort Hall Reservation designated upon the attached map prepared by the Bureau of Indian Affairs (BIA), Fort Hall Agency, which map is hereby incorporated in and made part of this resolution. The Business Council hereby consents to such application upon Tribally-owned lands designated for spraying on said map. It is understood that the BIA consents to such application upon all designated restricted fee allotments over which it exercises trust responsibility. It is further understood that the limited amount of on-Reservation lands designated on said map for spraying which are owned in fee by non-Indians shall not be sprayed to any extent without prior written consent from the affected landowners.

3. The aerial application authorized hereby shall be

conducted under the emergency program sponsored and funded by the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture. APHIS shall contract with a certified, properly licensed aerial applicator whose qualifications shall be subject to review and approval by the Tribes, and the Tribes reserve the right to reject any applicator not deemed properly qualified. APHIS and/or the aerial applicator shall be solely responsible for proper application of the Malathion ULV, and the Tribes as well as any Tribal officers and employees shall not be accountable to any extent for any damages which may result from improper or negligent application. No application of Malathion ULV hereunder shall occur in the absence of a written assumption of liability for improper or negligent application by APHIS and/or the applicator.

4. APHIS shall designate an official representative to coordinate the application of Malathion ULV hereunder with Norman Bird, Soil Conservationist, BIA, Fort Hall Agency, and Delbert Farmer, Pesticide Control Officer of the Tribes, who shall act jointly as monitors of the application process on behalf of the BIA and the Tribes, respectively.

5. Aerial application shall be by a single engine, turbine powered aircraft in order to insure for safety factors and maneuverability. All aerial spraying shall occur approximately 200 yards away from streams, homes, and any other sensitive areas identified on the attached map. Streams to be protected in this fashion, and to be tested before and after application with assistance from APHIS, include: Blackfoot River, Garden Creek, Cold Creek, Lincoln Creek, Ross Fork Creek, Michaud Creek, Starlight Creek, Bannock Creek, Moonlight Creek, and any other streams designated on the attached map.

6. In order to insure effective and safe aerial application, the BIA and Tribal representatives designated hereby as monitors shall be authorized:

A. To coordinate as necessary with the APHIS representative, the aerial applicator, local county agricultural extension agents, and other appropriate officials.

B. To meet with the aerial applicator to review in detail the areas to be sprayed and the safety restrictions to be followed, including a pre-application survey flight in advance of any actual spraying in order to familiarize the applicator with the Reservation areas designated on the attached map.

C. To secure verified written consent from any owner of fee patent lands designated for spraying on said map.

D. To provide appropriate advance notice and information to Reservation residents about the application program and to coordinate safety measures on-the-ground during the actual application process.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended, and under Article VI, Section 1 (a, 1) of the Constitution and Bylaws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, Idaho.

Dated this 10th day of June, 1985.

Kesley Edmo Sr
Kesley Edmo, Sr., Chairman
Fort Hall Business Council

S E A L

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 3 in favor, 1 opposed, 1 absent, 1 seat vacant, and 1 not voting on the date this bears.

Veida R. Auck
Veida R. Auck, Secretary
Fort Hall Business Council

L&O Dept.
F&G Dept.
D.Farmer, Pesticide Control Officer
Tribal Attorneys
LUPC
KE
(7)

Land Use Commission
JUN 25 1985
RECEIVED

RESOLUTION

WHEREAS, grasshoppers have been observed doing extensive damage to natural resources, range grasses and crops, and

WHEREAS, immediate action has to be taken to kill the excess grasshoppers, now

THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that authorization is hereby granted the Animal and Plant Health Inspection Services (APHIS) to contract with Central Air Service, Tucson, Arizona for the Category "A" type aircraft and Heli-jet of Eugene, Oregon for the Category "C" helicopter for sensitive areas, for application of 8 ounces of ULV Malathion.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat., 984) as amended and under Article VI, Section 1 (r) of the Constitution and By Laws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation.

Dated this 19th day of June, 1985.

Kesley Edmo
Kesley Edmo, Chairman
Fort Hall Business Council

SEAL

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 3 in favor, 1 opposed, 2 abstained, and 1 not voting on the date this bears.

Darrell Shay
Darrell Shay, Tribal Secretary
Fort Hall Business Council

cc: File
N. Bird
D. Farmer
L. Ponzo

RESOLUTION

WHEREAS, numerous complaints from surrounding farmers of grasshoppers ruining their fields has been reported, and

WHEREAS, drastic action has to be taken to kill the excess grasshoppers, now

THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that the ban against aerial applications has been lifted for Merle Wilhelm, Manager Pocatello Airport to start the initial process of spraying Malathion & Sevin within the boundaries of two parcels of land: (1) Pocatello Municipal Airport, and (2) The Old Airport, and

BE IT FURTHER RESOLVED, that the above spraying of chemicals is on a one-time basis, only.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat., 984) as amended and under Article VI, Section 1 (r) of the Constitution and By Laws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation.

Dated this 19th day of June, 1985.

Kesley Edmo, Chairman
Fort Hall Business Council

S E A L

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 5 in favor, 1 opposed, and 1 not voting on the date this bears.

Darrell Shay

Darrell Shay, Tribal Secretary
Fort Hall Business Council

RESOLUTION

WHEREAS, grasshoppers are continuing to do extensive damage to natural resources and crops, and

WHEREAS, immediate action has to be taken to kill the excess grasshoppers, now

THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that authorization is hereby granted the Animal and Plant Health Inspection Service (APHIS) to contract with Mr. Del Macy to re-spray flight skips in the first contract and poor control area comprising of 25,000 acres more or less with 8 ounces of ULV Malathion.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat., 984) as amended and under Article VI, Section 1 (r) of the Constitution and By Laws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation.

Dated this 2nd day of July, 1985.

R. Willis Dixey, Acting Chairman
Fort Hall Business Council

SEAL

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 3 in favor, 1 opposed, 2 absent and 1 not voting on the date this bears.

Darrell Shay, Tribal Secretary
Fort Hall Business Council

LWOR-85-9118

RESOLUTION

WHEREAS, by Ordinance S4-70 adopted by the Fort Hall Business Council on June 10, 1970, the Council declared "commencing June 10, 1970, a total moratorium and prohibition against aerial application of any substance whatsoever on vegetation or lands situate within the geographical boundaries of the Fort Hall Reservation", and this prohibition, which was enacted to protect the health and safety of all Reservation residents and lands, has remained in effect since then; and

WHEREAS, the United States Department of the Interior then recognized and continues to recognize the retained sovereignty of the Shoshone-Bannock Tribes to prohibit or regulate the aerial application of insecticides, pesticides, herbicides and other substances on all lands and water within the Fort Hall Indian Reservation; and

WHEREAS, by resolution adopted on June 10, 1985, the Fort Hall Business Council acted to modify the aerial spraying ban imposed by Ordinance S4-70 to allow limited application of Malathion ULV to designated Reservation lands under the emergency program sponsored and funded by the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture, for the purpose of combatting an acute emergency caused by the most extensive invasion of grasshoppers in several decades which threatened serious economic damage to rangelands and agricultural crops within the Reservation; and

WHEREAS, after careful evaluation it is deemed necessary in order to avoid such economic damage that the aerial spraying ban imposed by Ordinance S4-70 be further modified to include additional Tribal and restricted fee allotments under the APHIS program, subject to all limitations, protections and procedures hereinafter defined; NOW,

THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, as follows:

1. Ordinance S4-70 shall be amended to permit aerial application of Malathion ULV or Carbaryl Sevin 4 Oil within the Reservation on a one-time basis only to combat the current emergency, but such application shall only be permitted in accordance with the limitations, protections and procedures detailed herein. Otherwise, the total prohibition on aerial spraying of any substance on-Reservation shall remain in full force and effect until otherwise modified by the Business Council.

2. A single application of Malathion ULV concentrate or Carbaryl Sevin 4 Oil in amounts not to exceed eight (8) ounces per acre shall be authorized upon all lands within the Fort Hall Reservation designated upon the attached map prepared by the Bureau of Indian Affairs (BIA), Fort Hall Agency, which map is hereby incorporated in and made part of this resolution. The Business Council hereby consents to such application upon Tribally-owned lands designated for spraying on said map. It is understood that the BIA consents to such application upon all designated restricted fee allotments over which it exercises trust responsibility.

3. The aerial application authorized hereby shall be conducted under the emergency APHIS program. APHIS shall contract with a certified, properly licensed aerial applicator whose qualifications shall be subject to review and approval by the Tribes, and the Tribes reserve the right to reject any applicator not deemed properly qualified. APHIS and/or the aerial applicator shall be solely responsible for proper application of the Malathion ULV or Carbaryl Sevin 4 Oil, and the Tribes as well as any Tribal officers and employees shall not be accountable to any extent for any damages which may result from improper or negligent application. No application of Malathion ULV or Carbaryl Sevin 4 Oil hereunder shall occur in the absence of a written assumption of liability for improper or negligent application by APHIS and/or the applicator.

4. APHIS shall designate an official representative to coordinate the application of Malathion ULV or Carbaryl Sevin 4 Oil hereunder with Norman Bird, Soil Conservationist, BIA, Fort Hall Agency, and Delbert Farmer, Pesticide Control Officer of the Tribes, who shall act jointly as monitors of the application process on behalf of the BIA and the Tribes, respectively.

5. Aerial application shall be by a single engine, turbine powered aircraft in order to insure for safety factors and maneuverability. All aerial spraying shall occur approximately 200 yards away from streams, homes, and any other sensitive areas identified on the attached map. Streams to be protected in this fashion, and to be tested before and after application with assistance from APHIS, include: Portneuf River, Ross Fork Creek, and Jeff Cabin Creek.

6. In order to insure effective and safe aerial application, the BIA and Tribal representatives designated hereby as monitors shall be authorized:

A. To coordinate as necessary with the APHIS representative, the aerial applicator, local county agricultural extension agents, and other appropriate officials.

B. To meet with the aerial applicator to review in detail the areas to be sprayed and the safety restrictions to be followed, including a pre-application survey flight in advance of any actual spraying in order to familiarize the applicator with the Reservation areas designated on the attached map.

C. To provide appropriate advance notice and information to Reservation residents about the application program and to coordinate safety measures on-the-ground during the actual application process.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended, and under Article VI, Section 1 (a, 1) of the Constitution and Bylaws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, Idaho.

Dated this 9th day of July, 1985.

Kesley Edmo Sr

Kesley Edmo, Sr., Chairman
Fort Hall Business Council

S E A L

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 5 in favor, 1 opposed, and 1 not voting on the date this bears.

Darrell Shay

Darrell Shay, Secretary
Fort Hall Business Council